



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. II NO. 39

THE HANSARD

Wednesday, 3rd May 2023

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

Hon. Speaker: Hon. Members, we have quorum to transact business.

COMMUNICATION FROM THE CHAIR

RECOGNITION OF DELEGATION FROM KITUI COUNTY ASSEMBLY

Hon. Speaker: Hon. Members, I have a short Communication and a Message from His Excellency the President. The Communication is a recognition of a delegation from Kitui County Assembly.

Hon. Members, I wish to introduce to you a delegation from the County Assembly of Kitui, who are seated in the Speaker's Gallery. The delegation comprises the following:

1. Hon. Kevin Kinengo Katisya, MCA - Speaker/ Leader of Delegation
2. Hon. Christopher Nzioka Nzilu, MCA - Deputy Speaker
3. Hon. Paul Maluki, MCA - Speaker's Panel
4. Hon. Fastina Mwendu Solomon Salu, MCA - Speaker's Panel
5. Hon. Muthama Musyoki Kieti, MCA - Speaker's Panel

Hon. Members, the delegation is accompanied by six members of staff of the County Assembly. They are on a visit to Parliament to benchmark on parliamentary processes and operations as part of a training programme organised by our Centre for Parliamentary Studies and Training (CPST).

Hon. Members, on my own behalf and that of the National Assembly, I welcome the delegation to Parliament and wish them fruitful deliberations.

Thank you.

MESSAGE

NOMINATION OF PERSONS FOR APPOINTMENT AS MEMBERS OF JSC

Hon. Speaker: Take your seat Hon. Member.

(Hon. Susan Ngugi walked along the gangway)

Member for Tharaka Nithi, where you are going is not the nearest seat.

Hon. Members, as I had stated, I have a message from His Excellency the President on nomination of persons for appointment as members of the Judicial Service Commission (JSC). Pursuant to the provisions of Standing Order 42, I wish to convey the following Message from His Excellency the President regarding the nomination of persons for appointment as members of the JSC. In the Message, His Excellency the President conveys that in exercise of powers conferred on him by Article 171(2) (h) of the Constitution of Kenya and sections 3 and 5 of the

Public Appointments (Parliamentary Approval) Act, 2011, he has nominated Ms. Caroline Nzilani King'oku Ajuoga and Hon. Isaac Kiprono Ruto as members of the JSC.

Article 171(2) of the Constitution requires that the JSC comprises among others, one woman and one man to represent the public not being lawyers appointed by the President with the approval of the National Assembly. His Excellency the President now seeks the approval of the nominees by this House.

Standing Order 45 provides that upon receipt of nomination for appointment, such nomination shall stand committed to the relevant Departmental Committee for consideration. In this regard, I hereby refer the Message from His Excellency the President, the certificate of presidential nomination together with the curriculum vitae and other testimonials of the nominees to the Departmental Committee on Justice and Legal Affairs for consideration.

Hon. Members whereas Section 15 of the JSC Act, 2011 requires the National Assembly to consider the nominees and either approve or reject them within seven days, Section 8 of the Public Appointments (Parliamentary Approval) Act, 2011 requires the National Assembly to undertake the exercise within 28 days. In this regard, the Committee is expected to immediately commence the approval process, notify the nominees and the general public of the time and place for holding the approval hearings and thereafter table its report to enable the House to consider the matter within the statutory timelines.

Thank you.

Next Order! Leader of the Majority Party. Yes, Leader of the Minority Party, Hon. Wandayi. Is it about Order No.5?

Hon. Opiyo Wandayi (Ugunja, ODM): No, it was supposed to be under Communication but I saw you went ahead.

Hon. Speaker, I stand under Standing Order 20A(4)...

Hon. Speaker: Order, Hon. Wandayi! I do not know if we are following the same Order. Communication is only limited to be from the Chair.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, I have an issue if you would indulge me for one minute. On 6th April, I wrote to you on behalf of the minority coalition informing you of the decision of the coalition...

Hon. Speaker: Order, Hon. Wandayi! Order!

Hon. Opiyo Wandayi (Ugunja, ODM): To remove Hon. Sabina Chege...

Hon. Speaker: Order, Hon. Wandayi! I will give you space to prosecute after we are through with the listed Orders. Order! Take your seat, I will give you space. Order, Hon. Wandayi! Communication, which is Order No.2, is only limited to be from the Chair. There is no communication from any Member to the House. I will give you space to prosecute what you are saying. I have told you, let us deal with the Order that has been called. Hon. Wandayi, you are a senior... We have called out for Papers under Order No.5. So, when the *Hansard* shows in Order No.5, we called for Papers and you stood up to say what you are saying, we will look disorderly. I will give you space. There is no problem.

PAPERS

Hon. Speaker: Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Report of the Auditor-General on National Government Funds for the year 2021/2022:
2. Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2022:
 - (a) Jomo Kenyatta University of Agriculture and Technology;

- (b) Jomo Kenyatta University of Agriculture and Technology Enterprises Limited;
- (c) Jomo Kenyatta University of Agriculture and Technology Industrial Park Limited;
- (d) Council of Governors.
- (e) Lake Victoria Water and Sanitation Project - Lake Victoria South Water Works Development Agency;
- (f) Kenya Towns Sustainable Water Supply and Sanitation Programme - Athi Water Works Development Agency (AWWDA); and
- (g) Nairobi Inclusive Sanitation Improvement Project - Athi Water Works Development Agency.

Thank you, Hon. Speaker.

Hon. Speaker: Next Order!

NOTICES OF MOTIONS

INTEGRATING ENVIRONMENT CONSERVATION IN SCHOOL CURRICULUM

Hon. Umul Kheir Kassim (Mandera County, UDM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that Article 42 of the Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) of the Constitution also mandates the State to encourage public participation in the management, protection and conservation of the environment; concerned that, the prevailing climate change and global warming has adversely affected our ecosystems and biodiversity causing unprecedented droughts, food insecurity and famine thus affecting livelihoods and our economy, further concerned that, there is a general lack of awareness or insensitivity among our citizens regarding the place of environmental conservation in preserving our biodiversity; noting that, there is need to inculcate a culture of environmental conservation practices to restore and maintain balanced natural ecosystems and ensure protection of biodiversity, including reducing the effects of pollution and conserving natural resources for our future generations; this House resolves that the Government through the Ministry of Environment...

(Loud consultations)

Hon. Speaker: Order, Hon. Members! Order!

Hon. Members: The Chamber is too cold.

Hon. Speaker: Too cold? Are we in the same Chamber? Okay, the Serjeant-at-Arms will work on that. Members are complaining; you should lower the air-conditioning. Carry on Hon. Umul Kheir.

Hon. Umul Kheir Kassim (Mandera County, UDM): Hon. Speaker, I beg to give notice of following Motion:

THAT, aware that Article 42 of the Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) of the Constitution also mandates the State to encourage public participation in the management, protection and conservation of the environment; concerned that, the prevailing climate change and global warming has adversely affected our

ecosystems and biodiversity causing unprecedented droughts, food insecurity and famine thus affecting livelihoods and our economy, further concerned that, there is a general lack of awareness or insensitivity among our citizens regarding the place of environmental conservation in preserving our biodiversity; noting that, there is need to inculcate a culture of environmental conservation practices to restore and maintain balanced natural ecosystems and ensure protection of biodiversity, including reducing the effects of pollution and conserving natural resources for our future generations; this House resolves that the Government, through the Ministry of Environment, Climate Change and Forestry, develops and implements a policy on integrating a curriculum for environmental conservation in primary and secondary schools in the country.

Thank you, Hon. Speaker.

Hon. Speaker: Next is Hon. Jessica Mbalu.

ESTABLISHMENT OF STRATEGIC GRAIN STORAGE RESERVES
AND SILOS CLOSE TO SMALLHOLDER FARMERS

Hon. Jessica Mbalu (Kibwezi East, WDM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that agriculture is the backbone of the Kenya's economy contributing approximately 33 per cent of the GDP and employing more than 40 per cent of the total population and 70 per cent of the rural population; noting that the sector's performance has been declining as a result of adverse effects of climate change, resulting in droughts, famine and food insecurity; further noting that smallholder farming is predominantly rain-fed cereal grain farming and farmers experience boom harvest every time there is adequate rains; concerned that such farmers majorly lack proper post-harvest grain handling and modern storage facilities and resort to selling their harvest almost immediately after harvesting at low prices when market is flooded to reduce the risk of suffering losses through spoilage; cognizant of the fact that the current state of affairs exacerbates poverty in rural areas and there is need for instituting measures that boost local production to augment our grain reserves as stipulated under the National Food and Nutrition Security Policy, which would also lead to a reduction of grains imports in the country; this House now resolves that the Government, through Ministry of Agriculture and Livestock Development, establishes strategic grain storage reserves and silos in close proximity to smallholder farmers so as to address post-harvest inefficiencies.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you Hon. Jessica. Hon. Peter Salasya.

STRICT OPERATIONALISATION OF THE REGULATORY FRAMEWORK
ON SUGAR IMPORTATION

Hon. Peter Salasya (Mumias East, DAP-K): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that the importation and exportation of sugar is regulated by various laws including the Crops Act and the Agriculture and Food Authority Act, 2013; further aware that, the Agriculture and Food Authority is charged with the responsibility of regulating the importation and exportation of sugar in the country

and in accordance with the law; and noting that, the importation of sugar is also negotiated within the regional trade blocs.

(Hon. Getrude Mwanyanje rose on a point of order)

Hon. Speaker: Hon. Getrude Mbeyu, what is out of order?

Hon. Gertrude Mwanyanje (Kilifi County, ODM): Is Hon. Osoro in order to carry a female handbag around the House? It has been down on his Chair and now he is running up and down with it yet we do not know what he is carrying in it.

Thank you.

Hon. Speaker: Unfortunately, the Hon. Speaker never saw that. Hon. Osoro, carry on.

(Laughter)

Hon. Peter Salasya (Mumias East, DAP-K): I will continue from where I left.

THAT, aware that the importation and exportation of sugar is regulated by various laws including the Crops Act and the Agriculture and Food Authority Act, 2013; further aware that, the Agriculture and Food Authority is charged with the responsibility of regulating the importation and exportation of sugar in the country and in accordance with the law; and noting that, the importation of sugar is also negotiated within the regional trade blocks; further noting that, the individuals or entities are allowed to import sugar provided they obtain the necessary permits and meet the required standards; concerned that, despite these regulations, there have been instances of illegal importation of low-quality sugar or adulterated sugar; further concerned that unscrupulous traders have been found to rebrand the sugar which does not meet the set standards; deeply concerned that this poses significant public health risk to consumers as well undermining efforts to regulate and strengthen sugar industry to protect local millers; acknowledging that the country has the potential to produce enough sugar to meet its domestic demand as the sector has been a key driver of economic growth; further acknowledging that there is need for concerted efforts by all stakeholders to discourage the branding of sugar by non-millers and promote the development of the local sugar industry; and now therefore, this House resolves that the Government, through the Ministry of Investment, Trade and Industry, ensures strict operationalisation of the regulatory frameworks concerning sugar importation into the country including ensuring that rebranding of sugar by non-millers is banned.

Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Salasya. Next Order.

QUESTIONS AND STATEMENTS

Hon. Speaker: Order, Hon. Jerusha Momanyi. I have given the Floor to the Women Representative of Nyamira County. She has a Personal Statement to make.

(Loud consultations)

Hon. Speaker: Order, Hon. Members. Can we hear Mama Jerusha in silence?

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PERSONAL STATEMENT

DEMISE OF THE MOTHER TO HON. JERUSHA MOMANYI

Hon. Jerusha Momanyi (Nyamira County, JP): Thank you, Hon. Speaker.

I am a Women Representative of Nyamira County and I am deeply saddened by the loss of my beloved mother, Mama Agnes Moraa Nyachwaya.

She was a great business lady and a devoted Christian who lived according to her faith. She was a staunch member of the Seventh Day Adventist (SDA) Church. She was an inspiration to many and her legacy will continue to live on. As her daughter, I am proud to have had such an incredible mother. She was hardworking and never gave up even in the face of adversity.

With her small business of selling milk, she was able to provide for her family and ensured that all her eleven children received education. Her determination and resilience have been an inspiration to me and many. She was not only a mother to her children but also to the entire community. She was always ready to help those in need and was a champion of women empowerment. She influenced the community and particularly, the Gusii women to venture into business, a habit that was unheard-of in her life.

Her dream was for me to be in leadership and be able to influence change in the society. I am proud to say that her dream has come to pass because I, currently, serve as the Women Representative of Nyamira County, a position that allows me to continue the legacy that she wished and prayed for.

To all of our relatives and friends, and particularly those from Nyaganja where my mother lived and came from, I would like to extend my sincere apologies to all the relatives of Mama Agnes. I would also like to send my condolences to all those who are going to be buried on Friday in our county just like my mother would be.

We celebrate her life and the many memories that she shared with us. She was a remarkable woman who touched the lives of many and her legacy will continue to inspire generations to come. Let Mama Agnes, who is my beloved mother rest in eternal peace.

Thank you for giving me this opportunity so that I can make the last Statement for my late mother. I want to thank all Members who have supported me. May God bless each and every one of you.

Thank you very much.

Hon. Speaker: Thank you, Hon. Jerusha. We extend our collective condolences to you for the loss of your beloved mother.

I have been requested by Hon. Silvanus to make an additional eulogy to your mother. We also have Hon. Donya and your Member of Parliament who also want to send their eulogies.

Hon. Silvanus Osoro, you have two minutes.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much, Hon. Speaker.

First is to appreciate you for setting a precedent that a Member can mourn a direct member of her family in this House. So far, this is really a precedent and we appreciate.

Those people who have grown with mothers like Hon. Jerusha know very well that mothers form an integral part of a family.

When you have a privilege to grow with your mother to even see you to your point of success – and by God's Grace she was able to see the grandchildren – it is very painful to lose such a kind of very important person in the family. This is especially when you lose a mother at this age. Some of us might have lost our parents at the tender age of seven years but the pain

might not be commensurate with the pain that a person who has been able to live with a parent to this age is able to feel.

I join the people of Kitutu Masaba and Nyamira County in general to mourn Mama Agnes, a staunch Christian and a person who really helped people in the society. She was an active member of the SDA Church in Nyamira County and a serious business lady in the area. May her soul rest in eternal peace.

Thank you, Hon. Speaker.

Hon. Speaker: Let us have Hon. Clive Gisairo first *ndio Mhe. Donya afuate*.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Speaker. My name is Hon. Clive Gisairo, Member of Parliament for Kitutu Masaba. I would like to pass our sincere condolences as the people of Kitutu Masaba where Hon. Jerusha and I come from.

We all appreciate the role of mothers in the community where we come from. Having listened to Hon. Jerusha speak, you could get to hear what her mother stands for. We as the people of Kitutu Masaba, would like to say that we have lost a pillar in our constituency and Nyamira County at large.

I would like to stand by the family, wish them strength and let them know that we are there with them during these tough times. We would also like to thank Members of this House who have stood by Hon. Jerusha through the many platforms. We have been coordinating different levels of support and you have really stood with us. We thank this House and I wish that we continue with that spirit of unity. We should stand by each other when we have challenges.

Hon. Speaker, I would also like to thank you for allowing Hon. Jerusha to mourn the loss of her mother on this Floor. That sets a good precedent and it allows people to feel at home while in this House.

May our good mother rest in peace. Thank you, Hon. Speaker.

Hon. Speaker: Hon. Donya.

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Speaker.

Mama Hon. Jerusha Momanyi, we are with you during this difficult time as you celebrate the life of Mama Agnes Moraa Nyachwaya of Gachuba Ward. There is no one like a mother.

Before I joined politics, I was a presenter at our local station, Egesa FM, and we once visited Mama Agnes. She was very passionate about the girl child. I was against Female Genital Mutilation (FGM) which Mama Agnes, being an Adventist, really supported. She raised six girls. Mama Agnes told me: "Donya, when you become a mother, make sure you guide your girls to have good morals to a point of getting married through a wedding not 'come we stay'." Mama Agnes advocated for weddings and getting married at a proper age while still a virgin.

(Laughter)

Yes, a virgin! That is what Mama Agnes advocated for. If she was fighting FGM, she was definitely promoting safe marriages. This is where you get married before you engage in early sexual relationships. Mama Agnes was fighting teen pregnancies. And Hon. Donya, standing here, obeyed that law of being a virgin before marriage. I got married when I was a virgin.

(Applause)

This was through the advice of Mama Agnes, Hon. Jerusha's mother.

In Kisii county, I fight teen pregnancies and FGM courtesy of Mama Agnes. I am a mother of two girls. You can be assured my girls will be virgins before marriage, courtesy of Mama Agnes.

(Applause)

Kitutu Masaba is the area that our Solicitor-General, Hon. Shadrack Mose, comes from. You can see it is an area of leaders. Rest in peace, Mama Agnes from Gachuba.

Thank you very much, Hon. Speaker.

(Applause)

Hon. Opiyo Wandayi (Ugunja, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Thank you very much.

(Loud consultations)

Order, Hon. Members! Hon. Opiyo Wandayi.

(Loud consultations)

Order, Hon. Members!

Hon. Opiyo Wandayi, this is the correct time that you should have stood to prosecute your matter. Go ahead.

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you, Hon. Speaker. I am well guided.

I was telling Hon. Ichung'wah that I have been out of this House for some time. I have been engaged in other national duties.

(Laughter)

(Loud consultations)

I was rising on a point of order under Standing Order No.20A(5). Simply put without really prevaricating, I wrote to you on the 6th of April communicating the decision of the Minority Coalition on the removal of Hon. Sabina Chege as the Deputy Minority Whip.

(Loud consultations)

I hear she is the Party Leader now. I do not know about that.

(Loud consultations)

I know that the Leader of the Jubilee Party, a constituent party of Azimio, is none other than His Excellency Uhuru Muigai Kenyatta.

(Applause)

(Loud consultations)

Hon. Speaker: Order!

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, I do not want to be drawn into...

(Loud consultations)

Hon. Adan Keynan (Eldas, JP): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Keynan. What is it? Order, Hon. Members! The statement by Hon. Wandayi should not excite you unnecessarily.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Speaker. Is it in order for Hon. Wandayi to mislead this House and Kenyans in general that Hon. Uhuru Kenyatta is the leader of Jubilee Party when we have just decided that our Party Leader is Hon. Sabina Chege? Is he in order, Hon. Speaker?

(Several Members spoke off-record)

(Hon. Sabina Chege walked into the Chamber escorted by some Members)

(Applause)

(Loud consultations)

Hon. Speaker: Order, Hon. Members! Order! Order, Hon. Members! Order!

(Loud consultations)

(Hon. Keynan spoke off-record while waving)

Order! Order, Hon. Members! Order, Hon. Adan Keynan!

Hon. Keynan, take your seat! Order, Hon. Members!

(Hon. Rozaah Buyu stood up in her place)

(Hon. Wanami Wamboka stood up in his place)

Order, Hon. Rozaah Buyu! Order, Hon. Jack Wamboka! Take your seats!

(Several Hon. Members stood up in their places)

(Loud consultations)

Order, Hon. Members! Take your seats!

(Hon. Gertrude Mbeyu shouted from the gangway)

Hon. Mbeyu, any more misconduct and you will get the distinction of being the first Member for me to send out! I do not want you to have that distinction. However, you are inviting it.

(Hon. Rozaah Buyu shouted from the gangway)

Order, Hon. Rozaah Buyu! It is enough for you to speak from where you are. It is totally out of order to picket along the aisle to go and menace another Member.

(Hon. Rozaah Buyu spoke off-record)

Order, Hon. Rozaah Buyu! Order!

(Loud consultations)

Order, Hon. Members! The Floor is with Hon. Opiyo Wandayi. He will be heard uninterrupted. Anybody who engages in misconduct will be inviting his/her exclusion from the Chamber.

Hon. Wandayi.

(Loud consultations)

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you very much, Hon. Speaker. I want to be very brief. That...

Hon. Speaker: Be as brief as you can.

Hon. Opiyo Wandayi (Ugunja, ODM): Under Standing Order 20A(5), immediately after writing to you communicating our decision to remove Hon. Sabina Chege as the Deputy Minority Whip, we expected you to communicate the same to the House.

(Loud consultations)

On the 11th of April, when we expected that communication from you, you did the unexpected and opened up debate over the matter. I protested against that decision, but since you are the Speaker, I had to go by what you decided. After the debate, which in our view was totally uncalled for, I rose to ask you to give us a firm undertaking as to when you will make the Communication. You will recall that you declined to do so. I respected that again. I want to bring to the attention of this House and indeed the whole country that; under Article 4(2) of the Constitution of Kenya, 2010, that Kenyans fought and some died for, Kenya is a democratic multi-party State governed by the principles and values of Chapter 10 of the Constitution.

One of the cardinal duties of this House is to protect multipartyism. This House cannot be fully constituted without the Minority Party side. Under the Constitution, this House can only be fully constituted with the Majority Party and Minority Party sides. Therefore, the Minority Party deserves respect. We deserve respect from everyone. It is not the duty of the Majority Party nor the Speaker to decide for us who our Whip or Deputy Whip is. That message must get home clear and loud.

Hon. Speaker, it is now a month since I wrote to you. That delay means that our side is incapacitated. We cannot manage our affairs properly because we have a serious vacancy in our leadership. I implore you that it is your duty to ensure that this House runs smoothly and that there is order at all times. It is our duty as leaders of the House from both sides that the House runs in a manner that upholds its integrity and credibility. But if we cannot get a mere communication on a decision by ourselves to remove one of our own from a position to which we placed her, then there is no need for this House to continue transacting business.

(Loud consultations)

Hon. Speaker: Are you done?

Hon. Opiyo Wandayi (Ugunja, ODM): We can as well pack up and go home all of us.

(Loud consultations)

Hon. Speaker: Order! You will be heard in silence.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, you know I am not the kind of person that can easily be intimidated.

Hon. Speaker: Have you finished?

Hon. Opiyo Wandayi (Ugunja, ODM): I can never be intimidated by any person. Never.

(Loud consultations)

Hon. Speaker: Order. Hon. Wandayi, finish up.

Hon. Opiyo Wandayi (Ugunja, ODM): Never. That can never happen. Hon. Speaker, kindly give the communication now.

Hon. Speaker: Thank you. Are you done?

(Loud consultations)

Order, Hon. Members. Thank you, Leader of the Minority Party, for your spirited statement. I agree with the facts. As you have said, you wrote to me. That is true. I brought the matter to the Floor. That is true. I allowed debate. That is true. I promised a ruling. That is true. But I did not give a date for the ruling. That is also true. Subsequent to that, I recall seeing you on television, beyond the debate, talking animatedly about the same matter, which was out of order but I did not bring it to your attention. I have listened to you and I want to assure you that the Speaker is not going to be part of any parochial politics. The Speaker is not going to be part of the management of any affairs of any party or coalition. But the Speaker is also enjoined in the oath he took to protect and defend the Constitution, and will do so without any fear, favour or prejudice.

The ruling that you are seeking is in its final stages by the team that works with the Speaker, that is, the Office of the Clerk. It is equally true that it will be delivered. I can assure you that I will deliver it tomorrow. You will get its content and outcome, so let us not be unnecessarily agitated. We want to have the House run with decorum. You as the Leader of the Minority Party have confessed on the Floor that you have been away for some time. Indeed, I asked about you and your Whip, because I would love to see vibrant debate and presence of leadership. You are the leaders of the House that hold your members together on the Floor of the House. When you exit the Chamber, they follow you. I encourage you and your deputy, who is here more often than yourself, that all of us should be here.

I encourage you, Hon. Members: There is a walkway out there; we have good gardens in Parliament. You can picket out there. Please give this House the dignity and decorum that you carry for the people of Kenya.

(Applause)

No one out there will be impressed by you as an elected Member when you stand up and throw your hands in the air and shout at the top of your voice. You demean the very stature of this House. Hon. Wandayi, I have tremendous respect for you and nobody will intimidate you in my presence. So, do not cry about intimidation. Hon. Ichung'wah, your counterpart, is not in the business of intimidating people. I will not allow him to do so either. It is so ordered.

(Loud consultations)

Order! Hon. Wamboka, if you have been a victim of Hon. Ichung'wah's intimidation, come and tell me. I will protect you.

Let us move on to the next order. We are now getting into Question Time.

(Hon. Raphael Wanjala spoke off-record)

Order, Hon. Wanjala. I will not give you any chance.

Next Order. We are on Statements and Questions.

(Loud consultations)

Order, Hon. Members. If you read your Standing Orders, it says Question Time starts not later than 3.00 p.m. We are now at 3.17 p.m. The Cabinet Secretary for Education is here. Your colleagues have filed Questions on behalf of the people they represent and the country. We shall now welcome Hon. Ezekiel Machogu, the Cabinet Secretary for Education. I call upon the Member for Embakasi West, Hon. Mwenje, to ask the first Question.

(Loud consultations)

Order! Order! Order, Hon. Members.

(Hon. Samuel Atandi spoke off-record)

Hon. Atandi, it is grossly out of order to throw the jibes that I have heard you throw at the Chair. You will go down in history as the first Member to be ordered to be excluded from the proceedings of the House. I order you to leave this afternoon.

(Loud consultations)

Hon. Atandi, take your leave. You know very well that the Speaker has a lot of time for you, but you have no right to say what you said. Take your leave. Hon. Atandi, take your leave. If the Chair were to be drastic, I would have asked someone to name you. I will not do that. Just take your leave quietly.

(Hon. Opiyo Wandayi spoke off-record)

Order, Hon. Wandayi. Let me finish with Hon. Atandi first. Hon. Atandi, take your leave.

(Hon. Opiyo Wandayi spoke off-record)

Order, Hon. Wandayi. You do not own any Member in this House. You only lead Members. You do not own any Member. You do not own any Member, Hon. Wandayi. Hon. Atandi take leave.

(Loud consultations)

Hon. Atandi, you know the consequences of disobeying that order. Take your leave.

(Hon. Wanami Wamboka spoke off-record)

Order, Hon. Wamboka. Hon. Atandi, take leave.

(Loud consultations)

Hon. Atandi, you know the consequences of disobeying the Chairperson. Take leave.

(Hon. Raphael Wanjala spoke off-record)

Order, Hon. Wanjala. Hon. Atandi, take your leave. Just take your leave. You are now a stranger in the House. Take leave, Hon. Atandi.

(Loud consultations)

Order, Hon. Members.

(Hon. Robert Mbui stood on his feet)

Order, Hon. Mbui. Hon. Mbui, take your seat. Hon. Atandi, take your leave. Be the gentleman that I know.

(Hon. Samuel Atandi left the Chamber)

(Applause)

Hon. Mwenje, ask your Question. Hon. Mwenje, are you in the House? Ask your Question.

QUESTION BY PRIVATE NOTICE

QPN 006/2023

ACTION ON INVASION OF UMOJA 1 PRIMARY SCHOOL

Hon. Mark Mwenje (Embakasi West, JP): Hon. Speaker, I beg to ask the Cabinet Secretary for Education, the following Question by Private Notice:

- (a) Could he explain the action that the Ministry has taken against those responsible for invading Umoja 1 Primary School on 5th April 2023, give the status of investigations into the invasion, and indicate whether there is any suspect(s) that has been arrested in connection with the incident?
- (b) Could he state the disciplinary actions that have been preferred against the head teacher and the Board of Management following the invasion of the school?
- (c) Could he explain why the school has allowed private enterprises to operate within the school compound and why a shipping container bearing the National Youth Service label is located in the school yet managed by private individuals?

- (d) Could he indicate why the head teacher and Board of Management have employed armed youths to protect private enterprises operating illegally within the school compound?
- (e) Could he explain why the transfer of the head teacher from the school in January 2023 following myriad of complaints from residents was stopped by the Teachers Service Commission despite a transfer letter having been issued?

Hon. Speaker, I also wish to note that I am yet to get responses on this issue. Thank you, Hon. Speaker.

Hon. Speaker: Order, Hon. Members.

(Several Members left the Chamber)

The Members who want to leave the Chamber, please do so quietly. Hon. Mwenje has asked a Question that is very important to his constituents. He also happens to be on your side. Give him an opportunity to prosecute his Question in silence. Those who want to leave, nobody can chain you in the Chamber. Please do so quietly. We will transact business, with or without your presence.

(Applause)

(Loud consultations)

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Speaker. Should I repeat the Question?

Hon. Speaker: The Cabinet Secretary has heard you.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Speaker.

Hon. Speaker: Cabinet Secretary, now answer that Question. Hon. Members, those with Supplementary Questions can use the intervention button. The screen is full, as usual. I will probably end up using a show of hands to give you an opportunity to ask. Go on *Waziri*.

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): Thank you, Hon. Speaker and Members.

To my friend who has raised the Question, the information is as follows.

On 5th April 2023, the area Member of Parliament, accompanied by a group, went to Umoja 1 Primary School. There was another rival group. A confrontation ensued between the group that was with the Member of Parliament and the group that emerged from the school community.

Three people were ‘slaughtered’ in the fracas; three sustained some injuries. The matter was reported to the Directorate of Criminal Investigations (DCI). The information we have confirmed is that the person who ‘slaughtered’ three innocent people is the security personnel attached to the former Member of Parliament. He is known as Eric Ojwang’ Omollo. The police have done the necessary investigations and he is to be arraigned at the Makadara Law Courts on the 12th May 2023. That is what happened. The Member of Parliament went to the school and parents and others formed another group. That is how the fracas came about.

The second part of the Question is about the disciplinary action that has been preferred against the head teacher and the Board of Management following the invasion of the school. As I have said, the necessary investigations are being done by the DCI and other relevant agencies of government. No doubt, depending on investigations and their outcome, necessary disciplinary action will be taken against those found culpable. So far, there is that one person taken to court and investigations are going on. Depending on the outcome, we will take the

necessary administrative action that includes disciplinary action against those who were involved in this.

On the third part of the Question, government policy is very clear that, indeed, nobody is supposed to operate private businesses within school premises. We established that there were a number of businesses being transacted within the school compound before November 2022. That is against government policy. Following the complaints and more so from the Member of Parliament, the necessary remedial action has been taken on this. All businesses being conducted in the school have now been closed down. Among businesses in the school was a container where we had a canteen in the school. We also have a swimming pool in the school constructed using the National Government Constituencies Development Fund (NG-CDF). It was done by the former Member of Parliament. We also established that, indeed, members of the public have been accessing the swimming pool. We are also taking action because what the school administration and the Board of Management allowed was not proper, particularly members of public accessing the pool during school days. Since then, we have said members of the public should not access the school during school days.

We have also established the amounts collected from those businesses. Because the school's Board of Management was being paid, we have also sent auditors and quality assurance officers to establish the specific amount that was collected from those businesses transacted in the school. That is so that we know how whatever monies collected were expended. If they were not expended properly, necessary disciplinary action will be taken against the culprits thereafter.

Hon. Speaker, I admit that there was a transfer of this particular teacher by the name Mr. Onyango to a school known as Mahiga Primary School which is within Kasarani. The Teachers Service Commission (TSC), after receiving information that the transfer was being instigated by people who did not give proper information, decided to cancel the transfer and I am in touch with the TSC. We decided that once we establish and conclude the investigations that are ongoing, then we will take further action against the head teacher and anybody who was involved in the act.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Speaker and the Cabinet Secretary. Frankly, the Cabinet Secretary is giving us information already in the public domain. Allow me to follow up with two supplementary questions. Could the Cabinet Secretary provide the identity of the person responsible for allowing the armed youth to invade the school?

Could the Cabinet Secretary tell us if the container he just admitted is being used as a canteen privately but marked NYS is owned by the school or a private individual? Why is this happening while there is a head teacher and the BOM? How is this possible? Could the Cabinet Secretary kindly explain this?

Hon. Speaker: Thank you, Hon. Mwenje. Hold on Cabinet Secretary. Take a few more supplementary questions. I will allow two or three more. Just take the notes then you will answer. Hon. Pukose.

Hon. (Dr.) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. I want to ask the Cabinet Secretary about the registration of new schools in some of the areas, particularly in Endebess where we have new or young schools without TSC teachers. What is he doing about it and what is the Ministry's policy about registration of new schools?

Thank you.

Hon. Speaker: Hon. Sabina Chege.

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Speaker and the Cabinet Secretary. I have been a Chairperson previously of the Departmental Committee on Education. I want to thank the Cabinet Secretary for the work he is doing. My question is about the Junior

Secondary School (JSS) teachers who were given contracts by TSC. As per my understanding, they have not been paid. They have gone for months without pay and they are going through a lot of pain. I would like the Cabinet Secretary to inform the House what the plan is for paying the teachers.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Wamuchomba.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Thank you, Hon. Speaker and the Cabinet Secretary. I want to direct a question to the Cabinet Secretary on matters of drug and substance abuse in school noting that the Presidency, through the Deputy President, has initiated a campaign to get rid of drugs from our schools and communities. What is the Ministry doing to support this campaign so that we get rid of drugs from our learners especially in day public schools, both primary and secondary? Do we have a policy that can direct or guide us on how to harmonise the activities that are done inside and outside the schools so that we can succeed together?

Thank you, Hon. Speaker.

Hon. Speaker: Member for Bahati. Today is the day for the ladies.

(Laughter)

Give the microphone to the Member for Bahati.

Hon. Irene Njoki (Bahati, JP): Thank you, Hon. Speaker. My question is directed to the Cabinet Secretary. I request you to tell us how far you are from completing the equipping of all the Technical and Vocational Education Training (TVET) Institutions that the Government has put money into because those institutions need to be used. Unfortunately, they are not in use because they lack equipment.

Thank you.

Hon. Speaker: Yes, Hassan.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Speaker. I would like to ask a follow-up question to the Cabinet Secretary for Education. My question relates to the schools in Nairobi which are performing very poorly in exams, both primary and secondary schools. The state in some of these schools despite the fact that we have invested very heavily in infrastructure through the NG-CDF funds... We have teachers who have overstayed and gone native while some do private activities rather than focusing on the schools. Some of these schools are run by cartels that do illegal businesses as you have heard from the Member for Embakasi West. What action are you taking as the Cabinet Secretary to address this particular chronic problem and reform our schools so that their performances can equal other regions? At the moment we are much lower in performance than many other regions that are seriously underdeveloped. This is the Capital City of the Republic of Kenya. What action are you taking to change this situation?

Thank you.

Hon. Speaker: Hon. Kibet. Is your name Kibet? The Member for Kipkelion East. Sorry, Hilary.

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Speaker. The biggest challenge we have in the running of our schools is lack of teachers; that is poor staffing. Most of the time, parents pay teachers through the BOM. The TSC had come up with a plan of introducing interns to teach in these schools. The problem is when vacancies arise, the same interns are recruited and taken to schools away from the ones they are teaching yet they have a shortage. What is the Ministry doing to make sure that when vacancies arise, these interns are given the stations in which they teach as their first priority?

(Applause)

Thank you, Hon. Speaker.

Hon. Speaker: Thank you Member. Now, which way? Let us have the Member here; Hon. Richard Yegon.

Hon. Richard Yegon (Bomet East, UDA): Thank you very much, Hon. Speaker. I would like to ask the following question: Could the Cabinet Secretary explain why primary school students and officials from Bomet County, who participated in the Rift Valley Regional Athletics Games Competition held in Narok County from 16th to 19th April 2023, were not facilitated in good time, prompting unknown individuals to coerce members of the public to fundraise through social media? Members of Parliament from the five sub-counties were being asked to contribute Ksh40,000 each, and the Governor was asked to raise Ksh100,000.

Hon. Speaker: You are making a speech. Ask a question.

Hon. Richard Yegon (Bomet East, UDA): It is a question. I have just asked that one question.

Hon. Speaker: Yes.

Hon. Richard Yegon (Bomet East, UDA): Secondly, explain how students and officials from the other 13 counties in the Rift Valley region...

Hon. Speaker: Order, Hon. Yegon. You are out of order. I gave you room to ask a supplementary question.

(Hon. Richard Yegon spoke off-record)

Order, Member. The supplementary question has to relate to what was asked, but I have been allowing Members to ask what in law we call *ejusdem generis* to the Question. It must be a question related to the original Question. Now you are reading a statement or something. That is not a supplementary question. If you have a question that is totally different from the original Question, you ask for permission and the Chair will give you room to ask. The Cabinet Secretary is here for the long haul. Procedurally, a supplementary question is an *ex tempore* question, where you just stand up and ask a supplementary question in relation to a Question asked.

(Hon. Richard Yegon spoke off-record)

Okay, ask your question. It is a learning curve, but that is how it should be.

Hon. Richard Yegon (Bomet East, UDA): Thank you, Hon. Speaker. I would also like to know how the other 13 counties were facilitated to go to the Narok Competition, which went on between 16th and 19th April 2023. How were they facilitated, yet Bomet County was not facilitated?

Thank you.

Hon. Speaker: Thank you. Hon. Owen Baya, is your constituency Kilifi North?

(Loud consultations)

I will come to you.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Speaker. I would like to ask a supplementary question following the question on registration of schools. In Kilifi County, we have 186 public and private schools that have not been registered. Children go to these schools to learn. Some of them have even done their Form Four exams twice. Others have sat for their Kenya Certificate of Primary Education (KCPE) exams twice or thrice and have

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not been registered. The schools are suffering, and children and parents have to keep paying fees, yet the Government can support them. What can you do to help the people of Kilifi County in the registration of schools?

Thank you.

Hon. Speaker: Isiolo Women Representative.

Hon. Mumina Bonaya (Isiolo County, JP): Thank you, Hon. Speaker...

Hon. Speaker: Cabinet Secretary, get ready to answer those questions, then we do another round. Just hold your horses. I am here with you the whole afternoon.

Hon. Mumina Bonaya (Isiolo County, JP): Thank you, Hon. Speaker. My questions are specific to junior secondary schools. These are observations that I made in my county. I want to know why the supply of textbooks for junior secondary schools was only for three learning areas out of 12. Why is it that only three out of 12 learning areas in Isiolo received textbooks?

Secondly, why are there not enough classrooms and laboratories for junior secondary school learners in my county? The other question still on junior secondary schools is...

(Hon. Mumina Bonaya spoke off-record)

Hon. Speaker: Give her the microphone. Ask the last one.

Hon. Mumina Bonaya (Isiolo County, JP): Why are enough teachers not posted to those schools? Each school only has one teacher and that is not sufficient.

Finally, guidelines for registration of junior secondary schools, and for provision of lunch in junior secondary schools, are not available in Isiolo County.

Thank you.

Hon. Speaker: Thank you. Cabinet Secretary Machogu, answer those 10 interventions. We will do another round, Hon. Members.

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): Thank you, Hon. Speaker.

With regard to the first question from the Member for Embakasi, I have made it very clear that necessary action will be taken against anybody transacting business within a school compound. There is no doubt that what was happening in that school in Umoja started way back in 2016. I have already taken action. There is no business of any kind going on. This not only applies to that school, but also to any other school in the country where such business is going on. We will close the school and take necessary action. I assure the Member for Embakasi that we are conducting a proper audit to establish the amount of money that the school got over the years from 2016 from the business they were engaging in. Once we get that figure, we will also insist to know how that money was utilised. If it was not utilised, anybody who took it will be made to pay. If they do not pay, necessary action will be taken against the Board of Management and any such head teacher who was concerned or involved in that malpractice. We are taking action on that. That is assured.

With regard to the second question, there is no militia in the school. There are security guards who belong to a company known as Segu Security Company. Two security guards provide security in the school during the day, and two others at night. There are no militia or illegal people involved in providing security at the school, apart from on the 5th where unauthorised people came to the school.

With regard to the second set of questions, when I took over as the new administrator in the Ministry of Education, there was a serious problem concerning registration of schools, both in secondary and primary. The procedure and process of registering a school required that there be a recommendation from sub-county and county directors of education. The final approval would be given at the Ministry Headquarters. I have since made changes concerning

that tedious process and we have now made it much easier. I issued a circular to all county directors of education in the country that, once schools apply for registration, county directors of education should not send the same to the Ministry Headquarters for approval. They now have the power and authority to register schools at the county level.

I have the figures because we had a serious problem in this area. We have made a lot of progress because we have been able to register a commendable number of schools in the last four months since we came up with that circular. I request Members that if there are any schools which have not been registered, kindly bring them to my attention and I will take the necessary action, so that they are registered. Some of these schools have been in existence for the last four or five years. Some even have students in Standard Eight sitting for KCPE exams. There are others in Form Four and they require to be registered, so that they can get Government capitation, as well as getting teachers from the TSC. If they are not registered, we do not capture them in the National Education Management Information System (NEMIS). Therefore, they miss out on the capitation that we give our primary schools, as well as our junior secondary schools and senior secondary schools. They also miss out on getting teachers from the TSC. I assure Members that if there are any such cases, I undertake to take the necessary action, so that all of them are registered.

The third question is one that affects our primary and secondary schools, as well as tertiary schools and universities. It is the problem of drug and substance abuse. The Government is using a multi-agency approach. It is not only the Ministry of Education which is fighting against this problem, but also the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) and the Ministry of Interior and National Administration. In the Ministry of Education, we share a policy with NACADA in which we insist that various measures have to be taken to ensure that there is no infiltration of drugs in our schools so that the young people are not captives of drug and substance abuse. We have also formed a committee at the national level whose responsibilities will cascade all the way to the counties to give guidance and counselling.

We also said that we must have chaplaincy in every school. We must have teachers who will render guidance and counselling services in every school because apart from drug and substance abuse, young people are involved in other malpractices that can be addressed. We cannot deny that the issue affects our schools. We are very keen to ensure that necessary remedial measures are taken to prevent young people in our schools from being involved in these social vices.

The other question was on Technical and Vocational Education and Training (TVET) institutions. I wish to report that 71 TVET institutions are supposed to get equipment. I assure Members that the Kenya Kwanza administration is very keen on technical and vocational training because that is what the market and country require. Indeed, that is what will make us, as a country, achieve Vision 2030. It is an agenda in the Government. We had negotiations with the Chinese Government and it agreed to supply the equipment. The Cabinet Secretary for the National Treasury and I signed that agreement. The supplier of the equipment, AFIC International, is already on it. We expect the equipment to be available any time soon, so that we can send it to the 71 technical institutions which had been identified.

There is also an issue about schools in Nairobi. Thank you, Member for that Question. I am equally concerned because the performance of schools in Nairobi is not very good. However, the problem is not only in Nairobi. When we assess all schools in the country, about 3,000 of them do not have a single student who qualified to join university. There is no C+ (plus) in 3,000 schools in Nairobi. When you analyse the performance, particularly in the Kenya Certificate of Secondary Education (KCSE), you will find out that 40 per cent of our students get grades D (plain), D- (minus) and E. The problem is not only in Nairobi, but also in other parts of the country. The Ministry is addressing this issue to establish whether it is the

principals, teachers, parents or surrounding environment that make our students not to perform. We have meetings and conferences to discuss this issue. We will also have one in Nairobi where Hon. Members will attend. We will involve the local leaders in all the meetings.

I was in Kilifi County the other day and the Member for Kilifi voiced the same concern. For years, they have not had a student getting an A in the whole county. We agreed to have an approach where all of us will come together to look for a solution to enable our students to perform well. I am sure that last year's performance is a concern to Hon. Members because 354,000 students from all over the country got Grade D-(minus) and Grade E, which is 40 per cent of the students who sat for KCSE. There are equally very good schools that perform well in Nairobi. They include Nairobi Primary School, Nairobi Junior School, and others. We will partner with the area Member of Parliament and other local leaders to get a solution to this problem of poor performance in our schools.

I also undertake to investigate where a principal has been in a school for 10 or 15 years. Even if he performs well, it reaches a point where he cannot offer new skills or ideas in that school. We should transfer such principals after some time. We will investigate that so that we take necessary action.

Hon. Speaker, Members know that shortage of teachers is a problem that we face in the entire country. Immediately the Kenya Kwanza administration came to power, we employed 30,000 teachers to address this problem. They are still far from adequate. As we move on, we will increase this number progressively, taking into consideration the current economic status because they have to be paid. This is one of the problems that we have. As we move forward, I am sure the situation will be better than it is presently.

There is also the issue of interns. Because of the problem that we have, we employ interns. We pay Ksh15,000 to primary school interns and Ksh20,000 to secondary school interns. When employment opportunity comes up, we will give first opportunity to those who have served as interns. I agree that in case a school does not have a teacher for a certain subject and there is an opportunity for a particular intern to be employed, then we should give him or her an opportunity to serve in that school as opposed to getting somebody from elsewhere.

Before I answer the question from the Member for Bomet, I would like to answer the question on Junior secondary school that was asked by the Member for Isiolo. Hon. Members, I would also like to take this opportunity to thank you, most sincerely, for the presentation that you made before the Presidential Working Party on Education Reforms. They moved around in 47 counties to get views and recommendations on this matter. We have challenges which include inadequate laboratories and lack of enough classrooms in several other schools. The Ministry is addressing this issue. We had an engagement with our development partners, particularly the World Bank. The funding that we are likely to get will alleviate the problems in our schools, particularly the laboratories. We thank you for partnering with us. We know that within a short period of time, we will have the required infrastructural development in our schools.

On the Question by the Member for Bomet, I would like to explain as follows.

Hon. Opiyo Wandayi (Ugunja, ODM): On a point order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Wandayi.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, I am sure you might have realised that I stepped out of the chamber a while back. I had retreated to my office. I have really agonised while there. First, it is the first time, I think, since I joined this Parliament in 2013 that a Member, in this case, a Member of my coalition, has been sent out without...

Hon. Speaker: Order, Hon. Wandayi. Take your seat. Hon. Wandayi, you are very senior. We are in the middle of a Question. I would expect your point of order to indicate something that is out of order about what the Cabinet Secretary is saying. What you are asking is something spent. You cannot, under our Standing Orders, retreat out there and come back to

challenge the decision of the Chair. You also know, Hon. Wandayi, that the Chair is not in the business of compounding misconduct. If you have come back with something else, when it is the right time, I will give you chance to say it, but you cannot walk into the Chamber...

(Hon. Opiyo Wandayi stood in his place)

Order, Hon. Wandayi. You are more decent than that. You cannot walk into the chamber and demand to hear about a decision of the Chair. You are out of order! The Cabinet Secretary is in the middle of answering Questions! In fact, the reason I allowed your point of order is because I thought you wanted to say the Cabinet Secretary was misleading the House. If what you are trying to say is what you want to say, I will not allow you.

(Hon. Opiyo Wandayi spoke off the record)

Order, Hon. Wandayi! Order, Hon. Wandayi! Order! Order!

(Loud consultations)

Hon. Cabinet Secretary, continue.

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): Hon. Speaker, I want to answer the Question from the Member of Parliament for Bomet. This year, the Ministry released a calendar for the resumption of curricular activities for basic education institutions after we had suspended the same for the past three years because of the COVID-19 Pandemic. Bomet County was able to undertake all the term one activities for both primary and secondary schools as per the calendars given by the Ministry of Education. In particular, the county participated successfully as follows: All the five sub-counties within the county held their competitions and successfully represented their teams in competition at the county level. The county held the competitions in all categories, both at the county and the regional levels, where drama festivals for both primary and secondary schools were held. The winning teams represented their county at the regional festivals that were held in Kitale, Trans Nzoia County, between 20th and 26th March 2023. The County Kenya Science and Engineering Fair was undertaken and the county team participated in the regional competition held at Tenwek High School in Bomet County between 6th and 8th April 2023.

Secondary schools term one games were held in Bomet East for county level, and the county team participated in the regional competition held in Eldoret between 4th and 9th April 2023. Also, the county participated successfully in the Regional Special Needs Education (SNE) Games for both primary and secondary schools held in Nakuru County between 14th and 19th April, 2023.

For primary athletics, the county participated in all the sub-county competitions held in their respective venues. The county competition was also held on 13th April 2023, at Chepkosiom Primary School in Sotik Sub-County. The county team participated in the regional competition held in Narok County between 16th and 22nd April 2023. The county was ranked number five out of 14 in the region with five pupils – three boys and two girls – representing the region in the national competition. For these activities, Bomet County had so far received Ksh1.5 million from the Ministry. They utilised the funds in the best way possible to ensure that our children participated in the activities as I have outlined. This is in addition to the Ksh578,134 given to each sub-county. It is worthy to note that the county received support from our stakeholders, particularly the heads associations of both primary and secondary schools, namely, the Kenya Primary Schools Headteachers Association (KEPSHA) and the Kenya Secondary Heads Association (KESSHA), for their successive participation. In

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addition, the county appreciates the support received from the county leadership and Members of Parliament.

The Ministry also released a total of Ksh312,159,925, in February this year, to all field education officers to support co-curricular activities. Each sub-county received Ksh578,134.50. Each county received, as I have said, Ksh1.5 million and each region also received Ksh2.5 million. The competitions are held at sub-county, county, regional, and national levels. Each level manages its own budget as supported by the Ministry.

Finally, we are going to have the national music festivals at Dedan Kimathi University in Nyeri County. Thank you, Hon. Speaker.

Hon. Speaker: Order, Hon. Members.

(Hon. Robert Mbui stood in his place)

Hon. Mbui take your seat.

(Several Hon. Members stood in their places)

Hon. Members, take your seats.

Hon. Wandayi, from what you started saying when I gave you the point of order, you are veering towards offending Standing Order 107 (a) and (c). It reads as follows:

- “A member commits an act of gross disorderly conduct if the member —
- (a) defies a ruling or direction of the Speaker or Chairperson of Committees;
 - (c) demonstrates or makes disruptive utterances against the suspension of a Member”

You appeared to be challenging the order by the Chair to exclude the Member for Alego Usonga from the proceedings of the House. The Speaker sits here, listens, watches, hears, and can also decipher from what is going on in the House. That you did not hear the offensive words that the Member uttered, does not mean he did not utter them.

Secondly, by the Speaker repeating those words amounts to compounding an offence on the Floor of the House, and the Speaker cannot and will not regurgitate what the Member said. The Member has been sent out in a proper manner and then you attempt to challenge that offence under Standing Order 107(a), which you yourselves passed to govern the proceedings of this House.

When you stood on a point of order, I thought you were going to challenge the veracity or accuracy of what the Cabinet Secretary was saying. It turned out to be far from that and the Chair will not allow any Member, whether in leadership or not, to engage in challenging rulings and directions from the Chair because the Standing Orders do not allow that.

So, let us carry on with taking other supplementary questions. If you have questions to ask, I will give you the chance to do so. If you want to ask about the suspension of Hon. Atandi, I will not give you the chance.

(Hon. Robert Mbui spoke off the record)

Hon. Mbui, I have never known you to conduct yourself in the manner you are doing. I have never and I have been with you for a very long time. Please, regain your decorum that I know. Let us have the House run in proper order.

(Loud consultations)

Those with supplementary questions. Hon. Johana Ng'eno.

(Loud consultations)

Hon. Johana Ng'eno (Emurua Dikirr, UDA): Thank you, Hon. Speaker. I wish to ask the Cabinet Secretary a question concerning the issue of delocalisation of teachers, which was discussed both in this House and out there. It was found to be an illegality and it was reversed. However, when the teachers who were transferred during the delocalisation process came back to their original areas, they were denied opportunity to go back to the schools they were teaching formerly. Could the Cabinet Secretary tell this House what exactly the Ministry is doing over that issue?

Hon. Speaker: Member for Parliament for Kitui South.

Hon. (Dr.) Racheal Nyamai (Kitui South, WDM): Thank you, Hon. Speaker and thank you Cabinet Secretary. I would like to ask the Cabinet Secretary whether he is aware that many JSSs in Kitui County were rejected by the Ministry of Education. What action can he take to ensure that children who walk for many kilometres to and from school can be assisted? Could he order that these junior secondary schools be accepted so that the long distance to schools can be shortened?

Hon. Speaker: Hon. Didmus Barasa.

Hon. Didmus Barasa (Kimilili, UDA): Thank you, Hon. Speaker. Can the Cabinet Secretary confirm whether it is legal or illegal for a principal of a day secondary school to turn away students in the pretext that they have not paid lunch fees? If it is illegal, what action would the Cabinet Secretary take against principals who continue to lock out children from sitting for their examinations and learning because of failure to pay lunch fees yet the Government has paid their tuition fees in totality?

Hon. Speaker: Member of Parliament for Ganze. Give the microphone to the Member of Parliament for Ganze, Hon. Kazungu. Where is the Member? There you are. Give him the microphone.

Hon. Kenneth Tungule (Ganze, PAA): Thank you, Hon. Speaker. Thank you, Cabinet Secretary for coming here to answer our Questions.

I have an issue about the school feeding programmes. Hon. Speaker, I come from Ganze where poverty levels are very high. One of the factors that contributed to high enrolment in schools was the availability of the school feeding programme in all primary schools. This was a very good programme, but at some point, it was discontinued. As a result, many students have dropped out of school to go and do menial jobs as they fend for themselves and their families.

Why was the school feeding programme stopped? Are there any plans by the Government to revive it?

Hon. Speaker: Hon. Malulu Injendi.

Hon. Malulu Injendi (Malava, ANC): Thank you, Hon. Speaker. My question is on private businesses by schools.

Is the Cabinet Secretary aware that schools are involved in private business of selling uniforms where parents are asked to pay money through a certain paybill number? Is he also aware that parents are charged very high amounts of money for uniforms, socks, shoes, utensils, ream papers among other items?

My second question...

Hon. Speaker: Only one, Hon. Malulu Injendi.

Hon. Malulu Injendi (Malava, ANC): Thank you, Hon. Speaker.

Hon. Speaker: Member of Parliament for Kisii County.

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon Speaker. It is well known that JSS teachers are not enough in schools and JSS pupils are sent to the river to collect water. This has proved to us that there are some children who carry jerrycans from home to school to collect water. What is the Cabinet Secretary doing to curb this menace of pupils collecting water? We have also not seen sanitary pads being distributed in our schools. He should answer the question on sanitary towels and pupils going to the river to fetch water.

Hon. Speaker: Hon. Rahab Mukami.

Hon. Rahab Mukami (Nyeri County, UDA): Thank you, Hon. Speaker. I want to ask the Cabinet Secretary a question regarding sanitary towels.

I am the Chair of the 47 Woman Representatives, and we went to see the Attorney-General and he gave an order that sanitary towels should be channelled through Woman Representatives. Our Cabinet Secretary, kindly let me know the progress because schools are opening on 9th May 2023, but we have not seen sanitary towels in our schools.

Hon. Speaker: Cabinet Secretary answer those questions. Hon. Members, the next three questions are on education. I can see we are asking questions about our constituencies and issues education generally. Let him answer those four supplementary questions. I will allow you to ask the questions that you have. So just hold horses.

(Hon. Zamzam Mohammed raised up her hand)

I said hold your horses and here you are lifting your hand, Hon. Member. What is your problem?

(Laughter)

Hon. Member for Mombasa County, I will give you a chance. Just hold your horses.

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): Thank you, Hon. Speaker. The first question is on delocalisation.

As all Hon. Members are aware, this was punitive. It is something that led to the breakdown of families. We reversed it and told teachers who wanted to go back to their home counties to do so. We have transferred quite a number of teachers to their counties of origin. I do not have a specific figure now, but next time, I will give Hon. Members a specific figure of the teachers who have been transferred due to the policy we have now as opposed to delocalisation or nationalisation. We want our teachers to teach comfortably from their home counties or any other county of their choice. It is ongoing and there are teachers who have chosen to remain in the counties where they had been transferred to.

Again, we cannot transfer all of them back to the exact schools they were teaching because we have to look at the staffing of a particular school before we transfer them back. For example, if we have a mathematics and physics teacher and we find that the school of his or her choice has a mathematics and physics teacher, we take that particular teacher to the nearest school of his or her choice. I assure the Members that this exercise is ongoing.

Concerning the question by the Member of Parliament for Kitui South, Hon. Racheal Nyamai, we set a criterion when we were establishing junior secondary schools. The guiding principle in order for a school to qualify as a JSS, basically, was enrolment. Does it have enough students? If we find it has, probably, five or ten students and that there is a school nearby which can accommodate a JSS, then we call that particular school which was not viable a feeder school.

We assessed 32,000 primary schools and out of the 32,000 public schools that we assessed, 23,000 public schools and 5,000 private schools qualified. In total, we have 28,000 primary schools which qualified and are hosting JSS now. Hon. Members, where you have

specific cases and probably, think a certain school was left out, just like the Member for Kitui South... She came to the Ministry and we considered her case. Also, a number of Members have come to make appeals. Some have called me and we are flexible on that one. I want to tell the Member that if she has a particular case, she may bring it to my attention and I will take action.

Hon. Speaker, there is a policy in the Ministry that the Government should give capitation to the tune of Ksh22,240 to all day secondary schools. There should be no additional levies of any kind. As you know, free and compulsory education is derived from Article 53 of the Constitution. As a Government, we do not want to overburden parents. We have taken action on a number of head teachers, the most recent being the action I took on two schools in Kilifi. They were violating directives issued by the Ministry of Education.

On lunch and other meals in school, if parents so wish, they can give out money for that. We have said it is optional and the rates charged must be reasonable. If one does not want to pay, but carry food from home, it is still okay. If they do not want to take lunch in school, they should not be forced. That is why we said it must remain optional and where some money is charged, then it has to be reasonable.

With regard to uniform, we said those advancing to junior secondary schools should continue using the primary school uniform they had until such a time when the parents are able to purchase a new set of uniform. What used to happen before is that schools insisted that they procure uniforms. It was a centralised kind of system and since the end of last year, we issued a circular that they give out information about the uniform required. That way, parents are at liberty to procure the same from any source as long as it matches the requirements the school has set out.

The Member for Ganze has asked a question about the school feeding programme. Hon. Members, as you know, this has been going on for years, I think since 1979. The World Food Programme was supporting us in this, but in 2017, they stopped. The Kenya Government has continued with this programme in 26 Arid and Semi-Arid Lands (ASAL) counties. This financial year, Parliament allocated Ksh2 billion which we have used to give food, both in kind and as cash transfer, to the 26 counties. According to the figures, I can see that Ganze benefitted from the cash transfer. So, when the Member for Ganze comes, we will give him the specific amount of money that went to his constituency in form of cash transfer.

I want to thank Members because in the Supplementary Budget, you gave us an additional Ksh1 billion for purposes of the school feeding programme. Of course, we know other counties, apart from the 26, are in need too, but we are constrained financially.

Concerning water in schools, we thank the Members of Parliament because in a number of constituencies, they have supplied water tanks to a number of schools using the 2.5 per cent money they normally get. My Member of Parliament from Kisii County, we do not encourage school children to be sent away to bring water to school. This is against the policy of the Ministry of Education. Kindly, where you get such cases, let us know so that we can take the necessary remedial action.

A Member asked about sanitary towels. We discussed this matter and the Ministry of Education, this financial year, was allocated Ksh470 million to procure sanitary pads to be supplied all over the country. There are discussions being held that the money was supposed to be transferred to the Ministry of Public Service and others were of the view that it should be transferred to the County Woman Representatives. I think there is a meeting scheduled to deliberate on that aspect. The financial year is coming to an end; so we have procured. Once we get together with the County Members of Parliament, we will undertake distribution to various schools taking into consideration that schools are opening on 8th of this month.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, just hold your horses. I will ask the following Members... Cabinet Secretary, be attentive. I want to take three substantive Questions in a row. You will answer them, then we can take supplementary questions. So, just be patient. Hon. Ouko Kaunya, ask your Question. When you finish, Hon. Abdul Haro will ask his Question and when he finishes... Hon. Kaunya, you have two Questions?

Hon. Oku Kaunya (Teso North, ODM): Yes, Hon. Speaker.

Hon. Speaker: I will allow you only one today. So choose the one you want. Do you want to ask Question 102 or 103A?

Hon. Oku Kaunya (Teso North, ODM): I will ask Question 102.

Hon. Speaker: Go ahead. The other one will be listed next time when the Minister comes.

ORDINARY QUESTIONS

Question 102/2023

LOCATION OF JUNIOR SECONDARY SCHOOLS

Hon. Oku Kaunya (Teso North, ODM): Thank you, Hon. Speaker. My Question to the Cabinet Secretary for Education is 102/2023:

Could the Cabinet Secretary:

- (a) clarify whether the current domiciling of junior secondary schools in primary schools is a temporary arrangement or learners will later be relocated to premises in secondary schools, and if so, when will they be relocated?
- (b) provide information on the amount of public funds that were channelled towards construction of classrooms in secondary schools earmarked for Junior Secondary Schools countrywide and indicate the fate of those facilities given that junior secondary schools are now domiciled in primary schools?

Hon. Speaker, that was the first Question.

Hon. Speaker: Thank you. That is the first and last. Hon. Abdul Haro. Clerks, spare the other Question by Hon. Kaunya for next time.

(Question 103A/2023 deferred)

Question 103/2023

IMPLEMENTATION OF SCHOOL-FEEDING PROGRAMME IN MANDERA SOUTH

Hon. Abdul Haro (Mandera South, UDM): Thank you, Hon. Speaker. I rise to ask Question 103/2023 to the Cabinet Secretary for Education.

Could the Cabinet Secretary:

- (a) state measures that the Ministry has put in place to introduce the school feeding programme in Mandera South Constituency in order to retain learners in schools in the hunger-stricken county?
- (b) further state what measures the Ministry has put in place to ensure that the sixty-four (64) schools in Mandera South Constituency which do not have clean water or water storage tanks are supplied with clean water?
- (c) explain what plans the Ministry has to ensure that children whose parents practice the nomadic lifestyle have uninterrupted access to education?

Hon. Speaker: The Member, Machua Waithaka. We will come to you, Liza Chelule. Just hold your horses.

Question 112/2023

INADEQUATE AND DELAYED DISBURSEMENT OF MONTHLY
STIPENDS TO STUDENTS IN CUBA

Hon. John Machua Waithaka (Kiambu, UDA): Hon. Speaker, I rise to ask the Cabinet Secretary for Education the following Question:

- (a) explain why Government-sponsored students undertaking studies in Cuba, particularly those studying family medicine are not given sufficient/adequate monthly stipend commensurate to the high cost of living in Cuba?
- (b) explain the reasons for the inordinate delays in remittance of this stipend to the said students?
- (c) state any plans on how the Government intends to adequately cater for the affected students to ensure that they undertake their studies in a conducive environment?

Hon. Speaker: Cabinet Secretary, you can now answer those three Questions.

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): Thank you, Hon. Speaker.

Concerning the first Question by Hon. Kaunya, the decision to domicile junior secondary schools in primary schools is not a temporary arrangement. The matter has been considered extensively and the decision was made after considering a range of key factors.

As all the Members here are aware, a Presidential Working Party was established in order to take views from Kenyans. It went to all the 47 counties and engaged with the unions and experts. I am also aware that there was an opportunity for Members of Parliament to give their views to the Presidential Working Party.

During the stakeholder engagements and public participation sessions, which are clearly enshrined in Article 118 of the Constitution, 86 per cent of the respondents expressed the view that JSS should be hosted in existing primary schools. Only 11 per cent advocated for hosting JSSs in the existing secondary schools. Two per cent were of the opinion that new JSSs should be built. Being a democratic country and since 86 per cent of Kenyans said that the JSSs should be domiciled in the existing primary schools, that is what was contained in the interim report that was given to the President. Thereafter, we implemented what Kenyans said. The key factors given by the stakeholders that led to the decision to domicile JSSs in the existing primary schools were as follows.

It was established that the age of children in this category is between 10-11 years. With regard to development of the learners' cognitive abilities at this age, they undergo rapid physical, mental, and emotional growth. They experience a lot of development challenges.

The other thing that came out very clearly is that at this age, they require a lot of parental support as they undergo psychosocial and emotional transformation. Kenyans said it would not be proper to take them to boarding schools where they would be far from their parents. Others said there is need for learners at this age to acquire knowledge and skills at the same time to foster social cohesion and appropriate values which is enhanced by parental involvement and engagement.

Finally, it was said that in order for the learners to operate optimally, they required an environment that would provide psycho-emotional development and support.

Hon. Speaker, the decision about JSSs is now six years old, namely, since 2017 when we started Grade One. There is no engaging reverse gear. We cannot go back to reconsider the decision. We are moving forward with JSS.

The second set of question is that a total of Ksh7.662 billion was utilised to build 9,721 classrooms in our secondary schools. These classrooms are currently being used and have reduced the ever-growing congestion in our secondary schools. This was informed by a taskforce that was formed around 2020 which was given the responsibility and mandate to look at enhancing access, relevance, transition, equity, and equality for effective curriculum reforms implementation, which was chaired by Prof. Fatuma Chege. It found out that there was a deficit of classrooms in our secondary schools to the tune of 2,633 by then. The enrolment in our secondary schools as per December 2020 was 3,405,596 students. By December 2021, a year after, the enrolment in our secondary schools had increased to 3,523,428 learners. In December 2022, the enrolment had grown to 3,526,197 learners. The present enrolment stands at 3,690,376 learners. This, therefore, means that since 2020, there has been an increase of 287,780 learners. Together, with the pre-existing deficit, it translates to a requirement of 9,028 additional classrooms. Consequently, the 9,721 classrooms that were constructed are assisting to address the current deficit as well as the future demand for more classrooms.

It is important to note that with the Government's policy of 100 per cent transition, the enrolment in our secondary schools increases by an average of 8.5 per cent annually. More classrooms will, therefore, be required to meet the ever-growing demand. Hon. Members, from your respective constituencies, I am sure you have witnessed that there are no empty classrooms. The classrooms that were built in all our secondary schools are in use.

Concerning the Question by the Member of Parliament for Mandera South, the school feeding programme started way back in 1979 when the Government rolled out the School Milk Programme. It was supported by the World Food Programme (WFP). They continued supporting us until 2017 when they stopped giving any funding to the Kenyan Government for this particular programme. The Ministry of Education, through the National Council for Nomadic Education (NACONEK), undertook the programme and it has been giving food to 26 ASAL counties. The programme targets two million children from the ASAL regions which consist of 26 counties. The NACONEK provides food to the following 11 counties, namely, Mandera, Tana River, Garissa, Wajir, Marsabit, Isiolo, Samburu, Baringo, West Pokot, Lamu, and Turkana. There are other 15 counties that are provided with cash transfers, and they include Baringo, Elgeyo Marakwet, Embu, Nyeri, Kajiado, Narok, Kilifi, Kwale, Machakos, Kitui, Makueni, Tharaka Nithi, Laikipia, parts of Nairobi, and Taita Taveta. A total of Ksh336,281,000 has been spent under the programme for the just concluded term. In this financial year, a total of Ksh1.96 billion has been spent on the school feeding programme. The remaining period until the expiry of the financial year is well taken care of and there will be food in each and every part of these counties.

Hon. Speaker, Mandera South Constituency has 73 public primary schools with current enrolment of 30,668 learners. Fifty-six (56) of these schools are in Mandera Central, Elwak Sub-County while 17 are in Kutulo Sub-County. In the just concluded term, NACONEK gave food in kind distribution to all our public primary schools in Mandera South Constituency. The learners are provided with two meals per day; one being porridge during break time and rice and beans during lunch time.

In Kutulo sub-county, the 17 schools that were covered under this programme were provided with 1,435 bags of rice, 200 bags of beans, 92 20-litre jerry cans of oil and 38 bags of salt. In Mandera Central, Elwak Sub-County, where we have 55 schools, a total of 5,741 bags of rice were supplied. We also gave 794 bags of beans, 150 bags of salt, cooking oil and 1,120 cartons of ready to drink porridge to this sub-county. The total amount used for Mandera

County was Ksh203,893,240. For the two sub counties in this particular constituency, the total amount spent in the school feeding programme in the first term was Ksh59,956,400.

On provision of water, as you are aware, the responsibility and function of water falls under the Ministry of Water and the county government. You know that Parliament has given an allocation to the Ministry of Water. In this quarter, over Ksh200 million was allocated for drilling of boreholes in schools. That money is managed by the Ministry of Water. As the Ministry of Education, we can only make a recommendation to the Ministry of Water to consider drilling a borehole in any given school. However, in Mandera South, public schools are located in town centres that share boreholes with the local communities. The total number of boreholes in Mandera South are 70. There are 79 boreholes in Mandera Central Sub-County and 23 in Kutulo Sub-County. I have also said that we are partnering with the Ministry of Water, and where there is need...

Hon. Speaker: Cabinet Secretary, please, try to paraphrase the answer. We want to be done with you in the next 30 minutes so that we can allow your colleague who is waiting, to come in. I also have many supplementary questions. Finish that and move to the next Question.

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): We have 70 boreholes now, and they supply and provide water to our primary and secondary schools in the two sub-counties.

On the measures the Ministry is taking to ensure that our students remain in school considering the nomadic lifestyle in this particular area, I want to state as follows. First, we have provided food and the purpose is to ensure that we retain our children in schools and that has worked out very well.

Secondly, in this sub-county, the neighbouring sub-counties and other areas in ASAL areas, we have a number of low-cost boarding schools. There is a total of 38 boarding schools in Mandera County. In this constituency, we are taking a total of 12,611 pupils in all these public primary boarding schools. Again, in this constituency and the two sub-counties, we have eight low-cost public boarding schools that are catering for this with a total of 1,973 learners.

The county government, particularly Mandera, is also supporting the education sector. For instance, in this financial year, the County Government of Mandera has pumped in Ksh350 million to address this problem.

Hon. Speaker: The last Question is by Hon. Machua Waithaka on students in Cuba.

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): Thank you, Hon. Speaker. The Kenyan Government entered into a Memorandum of Understanding (MoU) with the Government of Cuba in 2004. The agreement entered upon was that Cuba will give partial scholarships by providing for tuition and accommodation. They would take two students per given year. That has been happening since then. The Government of Kenya initially used to give bursary to every student who qualified until 2011. Since 2011, as a country, we have not been able to give the stipend that we used to give, not only to our students who access this scholarship programme, but even those in European Union countries and other countries. We do not give any stipend and so parents and guardians have to meet their costs.

Hon. Speaker: The first supplementary will go to the Questioner, Hon. Oku Kaunya. One supplementary at a time.

Hon. Oku Kaunya (Teso North, ODM): Thank you, Hon. Speaker. I will ask one supplementary question. First and foremost, I want to say that the response is largely satisfactory. However, my supplementary question relates to the shortage of staff. There is an acute understaffing of teachers, especially in Teso North and Butula in Busia County. The acute shortage is likely to undermine the implementation of CBC. What action or measures is the Minister taking to address that so that the implementation of the CBC and the junior secondary schools succeeds?

Hon. Speaker: Hon. Haro.

Hon. Abdul Haro (Mandera South, UDM): Thank you, Hon. Speaker. I have one supplementary question. Largely, I am happy with the answer the Cabinet Secretary has given. I can confirm schools in my constituency have received food distributed by NACONEK. Given that NACONEK is doing a good job in terms of food distribution, and given that the other major problem we have in schools in ASAL areas, Mandera South Constituency being one of them, is provision of water... There are 64 schools in my constituency which do not have water. They do not have storage, even if you tracked water to the schools. Could the Cabinet Secretary tell us whether it is possible to have a conversation on the same within the Government? He has told us water supply is the function of the Ministry of Water, Sanitation and Irrigation. Water provision should be done through the Ministry of Education so that, if possible, NACONEK is given an expanded function to include provision of water to schools as it distributes food, as happens in other jurisdictions. For example, in Nigeria the Nigerian Council for Nomadic Schools...

Hon. Speaker: Hon. Haro, you are making a speech. Ask your question.

Hon. Abdul Haro (Mandera South, UDM): Thank you. My question is: Could the Cabinet Secretary liaise with his counterpart in the Ministry of Water, Sanitation and Irrigation to see how water provision to schools can be consolidated under one institution such as NACONEK so that as they provide food they also provide water?

Hon. Speaker: Thank you. Hon. Waithaka.

Hon. John Machua Waithaka (Kiambu, UDA): Thank you, Hon. Speaker. The Cabinet Secretary said that in 2004, the Cuba Government got into an agreement with the Kenya Government to provide bursary and other requirements for students in Cuba, but according to my constituents who are students in Cuba, they are being forced to conduct Harambee. The agreement that was signed has not taken effect. Can the Cabinet Secretary confirm whether the agreement is still in effect and being implemented?

Hon. Speaker: Thank you. Mhe. Mama Zamzam wa Mombasa.

Hon. Zamzam Mohammed (Mombasa County, ODM): Thank you, Hon. Speaker. Recently, there was recruitment of teachers by the TSC. Mombasa had teachers who had been in probation for too long, some for two years and others for one year, but unfortunately, they never got a chance to be employed. Which criteria did the TSC use to recruit the teachers and why was Mombasa left out?

Hon. Speaker: Hon. Sabina Chege, what is your point of order?

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Speaker. My point of order is on a question I had asked the Cabinet Secretary on payment of JSS teachers. I did not hear him respond to the question.

Hon. Speaker: Cabinet Secretary, you did not answer the question. Note it. Hon. Liza Chelule.

Mhe. Liza Chelule (Kaunti ya Nakuru, UDA): Asante sana, Mhe. Spika, kwa kunipatia nafasi nielekeze swali langu kwa Waziri wa Elimu. Kwa wale wanafunzi ambao wamefanya mitihani ya shule ya upili, sijui kama ana habari kwamba kila wakati watoto hawa wakienda kuchukua stakabadhi zao shuleni wanakatazwa kama hawajamaliza kulipa karo ya shule.

Asante, Mhe. Spika.

Hon. Speaker: Thank you.

Mhe. Liza Chelule (Kaunti ya Nakuru, UDA): Mhe. Spika, tuko na shida ya Chuo Kikuu cha Egerton kule Nakuru.

Mhe. Spika: Umemaliza.

Mhe. Liza Chelule (Kaunti ya Nakuru, UDA): Mhe. Spika, niruhusu niseme hii kwa sababu imekuwa muda mrefu nipate hii nafasi. Tumeketi hapa na Mheshimiwa wa Njoro na

Waheshimiwa wote wa Nakuru na tunauliza ufululizi wa Chuo Kikuu cha Egerton. Tuko na shida sana na watoto wetu wanapitia shida nyingi.

Asante.

Hon. Speaker: Hon. Nyakundi.

(Hon. Charity Kathambi stood in her place)

Is that your name?

(Laughter)

The last time I checked, you were called Charity Kathambi. I called out Hon. Nyakundi.

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Speaker, for this opportunity. First of all, let me commend the Cabinet Secretary for Education for the good job he is doing. As Members of Parliament, under the NG-CDF, we have built classes to decongest schools. What is the Ministry doing to decongest schools? In my constituency, there is a school called Gesangora Primary where every class has 100 to 120 students.

Hon. Speaker: Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. I appreciate the work the Cabinet Secretary is doing. Is it possible for him to inform us how the ratios of kits are done through the Government, so that when we are building schools, we are aware so that we do not misuse resources through double allocation?

Hon. Speaker: Hon. Kamuren.

Hon. Charles Kamuren (Baringo South, UDA): Thank you, Hon. Speaker. Can the Cabinet Secretary explain the re-opening and re-building status of Ng'elecha, Rukus, Ramacha, Bartaluk, Murata, and Mara Muru primary schools, as was directed by His Excellency the President last year as well as rehabilitation of Mukutane, Kapndasum, Arabal, Kasiela, Tuiyotich, Chebinyiny, and Embosos secondary schools due to destruction by bandits?

Hon. Speaker: Are you sure he has got those names the way you are reading them?

(Laughter)

Can you write down those names and hand over to the Cabinet Secretary? One question at a time. Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Speaker. I want to ask the Cabinet Secretary one brief question as I appreciate his efforts and especially visiting Marsabit on education matters. Could he explain the implementation of CBC in ASAL counties, considering challenges of network? Most of our schools are not well built. Some of them are located in hardship situations. Can he explain to us the measures he is putting in place in order for the CBC to be implemented, considering the nomadic nature of our lifestyle?

Hon. Speaker: What is the name of the Member sitting in front of Hon. Naisula?

Hon. Jackson Lekumontare (Samburu East, KANU): Thank you, Hon. Speaker. I am Hon. Lekumontare Jackson, Member for Samburu East. Could the Cabinet Secretary tell us why some secondary schools do not have textbooks? The Ministry provides set books, but there are no course books. Some students sit for exams without textbooks.

Hon. Speaker: Hon. Martin Wanyonyi.

Hon. Martin Wanyonyi (Webuye East, FORD-K): Thank you, Hon. Speaker. My question relates to a circular that was issued by the Salaries and Remuneration Commission (SRC) as far as the reading allowance for teachers with disability is concerned. That circular is still in place, but TSC is not implementing it. This allowance is to help teachers with disability,

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especially those who are visually impaired for their own mobility and those who are physically disabled to effectively perform their functions. It is reading allowance and guide allowance.

Hon. Speaker: Hon. Mwashako.

Hon. Danson Mwashako (Wundanyi, WDM): Thank you, Hon. Speaker. My question goes to the Cabinet Secretary, Ministry of Education. In 2019, Parliament adopted a Report of the Departmental Committee on Education then as a result of a petition that was done by the teachers of Taita Taveta County on hardship allowance. That Report was adopted and approved by Parliament, but up to now, nothing has been done. Is the Cabinet Secretary aware that Wundanyi, Taveta, and parts of Mwatate were approved by Parliament to be classified as hardship areas and teachers there are yet to receive their hardship allowances? If yes, what is he doing about it? The three areas that I have mentioned are finding it difficult to attract teachers, and the teachers there are extremely demotivated. These areas have extreme hardship conditions than some areas where teachers are benefitting from hardship allowance.

Hon. Speaker: Hon. Faith Gitau.

Hon. Faith Gitau (Nyandarua County, UDA): Thank you, Hon. Speaker. Both primary and secondary schools in Nyandarua County do not have enough teachers. This has affected the performance of schools. When is the Ministry likely to deploy more teachers in those schools?

Hon. Speaker: Thank you. Hon. Mulyungi. Are you now the leader on this side?

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Hon. Speaker. I am the Temporary Leader of the Minority Party now.

(Laughter)

I have been sitting here suffering and wondering where bottled mineral water is in the chamber. I have gone to the Dispatch Box twice and... Please, I am suffering.

Hon. Speaker: It is okay. You have made your point. Serjeant-at-Arms, can you avail water to Hon. Mulyungi and any other Member who needs water.

The Member for Kitui Rural. Your colleague from Kitui has taken time to ask for water instead of a question.

(Laughter)

Hon. David Mwalika (Kitui Rural, WDM): Thank you, Hon. Speaker. You know we come from dry areas. He has exhausted his body storage.

My question goes to the Cabinet Secretary, Ministry of Education. Is the Cabinet Secretary aware of school infrastructural funds managed by the Ministry? If so, what is the criteria used to share the funds among schools across the country?

Lastly ...

Hon. Speaker: Only one question at a time. Hon. Munene. Hon. Members, there is so much interest. Just ask your appointed question. Give the microphone to the Member for Chuka.

Hon. Patrick Ntwiga (Chuka/Igambang'ombe, UDA): Thank you, Hon. Speaker. I rise to ask the Cabinet Secretary, Ministry of Education whether he is aware that Chuka University – a big public university with over 10,000 students - has stayed for over a year without a vice-chancellor and a university council? It has no council and chancellor. The university is almost going down. It is a big public university with over 10,000 students.

Hon. Speaker: Thank you. Minister, I will give one last one on this round to the Member for Fafi.

Hon. Farah Yakub (Fafi, UDA): Thank you, Hon. Speaker. Mine is about provision of water to schools in dry areas. I come from a very dry area. It is one of the worst drought-hit areas in Kenya. As you know, the NG-CDF does not cater for water supply. Most of the counties which are obliged to give water to those areas are also dry. What does the Ministry have in terms of provision of water to schools in dry areas? Are there water bowsers, or what are the mitigation measures in place?

Hon. Speaker: Minister, those are about 12 questions. Can you answer those quickly then I will do another round of five or six questions before I call the next Minister?

The Cabinet Secretary for Education (Hon. Ezekiel Machogu): Thank you, Hon. Speaker. The first question is about understaffing of teachers in junior secondary. I want to reassure Members that as a Ministry, we are aware of that fact. However, we have not reached a state where we can say we are 100 per cent perfect as far as staffing is concerned. This is an issue that we hold meetings every time about. Normally, I hold virtual meetings with sub-county directors of Education and county directors of education. We get reports of shortage of teachers in specific schools and address that particular problem as we progress. When funds allow, we will post teachers to these schools.

I want to confirm to the Members that for the last four to five years, there has been in-service training courses for teachers, particularly on pedagogy to prepare them to teach the CBC. We have many qualified teachers, including graduates who are in primary schools and those are the teachers that we are using to teach in junior secondary schools in the country. So, the problem is not as serious as we have put it. I have gone to almost all regions in this country. As you may be aware, I have been in schools at the Coast, North Eastern, Eastern, Western, Nyanza, and Central regions trying to assess the state of teachers in schools and seeing how we can mitigate this challenge. As much as we cannot be 100 per cent perfect on this, I assure you the Government will continue to look into this problem as we move forward.

Water, as I said, is a function and responsibility of the Ministry of Water. In the Ministry of Education, NACONEK does not have the technical expertise and the capacity to do boreholes as the Ministry of Water does. I want to ask Members that once they identify a need in a given area, they pass the information to us. Because we have one approach in Government, I can communicate the same to my colleagues, the Cabinet Secretary for Water. I am sure that with availability of the funds that Parliament allocated to that Ministry, something will be done because the funds were allocated for that particular purpose.

I am sorry I did not answer Hon. Sabina Chege's question. I want to apologise to the teachers that we have not been able to pay their salaries. We are still capturing their information. After posting them, we must get information from the school principals that they reported on specific dates so that we prepare their payments. Today, after I had discussed with the Chief Executive Officer (CEO) of the TSC, it was confirmed to me that almost 50 per cent of the newly employed teachers had been paid. We are still getting information from the field on the other 50 per cent. Funds are available for paying teachers. We will pay them expeditiously.

On school fees balance and schools that insist that payment of school fees must be done before they issue certificates, it is another area that Parliament has issued a directive on. This government has issued a directive on this area. It is actually not the government but Parliament itself. If you look at the Kenya National Examinations Council Act, Section 5, it clearly states that no student should be denied a certificate. I know these cases might be many, but whenever you come across them, you can take them to our County Directors of Education or to my office. I was even handling two such cases last week. I also know that my County Directors, including the Regional Directors, are handling this because they are under firm instructions with regard to this. This was one of the agenda we discussed when I met principals of national schools in

Mombasa last week. I made it clear that they have to obey the government's directive, particularly this one.

With regard to infrastructure funds, Members, you are aware that the amount you have given us for the primary section this financial year is Ksh140 million for all our primary schools. You can imagine the number of primary schools we have in the country. They are about 24,000. We said, as much as possible, the criteria we follow is that we must consider equity and a little bit of affirmative action. This is because there are areas in this country that you go to and wonder what happened. When others have done very well with the National Government Constituencies Development Fund (NG-CDF) in putting up classrooms, there are areas where there are no classrooms. There is a school somewhere in Kilifi where a Member came to us and we are giving money. I cannot remember the name of the school. It is in a pathetic situation. We consider equity and make sure that every constituency gets an equal share of this money, even if it is Ksh1,000,000 each. That is what we do. Going forward, we will be involving you more in allocating this money. You can see that it is a small amount of money. Even the one given to secondary schools is about Ksh900,000,000. In total, it is Ksh900,000,000 plus Ksh140,000,000. You can see that the amount is very little considering the number of primary and secondary schools in the entire country.

The Hon. Member from Baringo South Constituency, I am aware of that problem. It was a problem affecting Baringo and Turkana counties. I had an opportunity of going to Turkana County and had a public rally with a few Members of Parliament from Turkana County. The amount you allocated us was Ksh100,000,000. We have already given it to Turkana County. We are yet to give Baringo County. That is on my desk. Be rest assured that we will rebuild those schools that were destroyed by bandits in Baringo County. We have also engaged the military, which is assisting the Ministry to put up the 15 schools destroyed by bandits in Turkana County. We will do the same in Baringo County.

Thank you, Hon. Member from Marsabit County. I attended an education day in Marsabit County. I am aware of the unique problems in that county and the neighbouring counties. There are cases that we will consider on their merits, Marsabit and the neighbouring counties being some of them. There are others that require me to partner with the Ministry of Information, Communications and the Digital Economy and other government agencies for an affirmative action in order to assist those areas.

Hon. Members, you know the criteria of giving textbooks to schools. This is another area where we said that we must register all our schools, be it primary or secondary. Once the NEMIS captures them, they qualify to get textbooks. The number of textbooks we have issued to our junior secondary schools in the 12 learning areas is 18,000,000, taking an amount of Ksh3.3 billion. That is money allocated by this House. I think His Excellency the President will issue a statement today in conformity with the recommendations of the Presidential Working Party. It is to reduce the number of learning areas from twelve to nine. Hon. Member, in case we have not issued them to your constituency or any particular school, please come to my office so that we specifically look at that issue. For secondary schools, the criterion is that we issue textbooks after four years. According to our estimation, a textbook is supposed to last for four years. It is only after the four years that there is another allocation of textbooks to a given school.

Hon. Speaker, concerning the SRC and the TSC with regard to the disabled, I request the Hon. Member to come to the office so that I can call the TSC and we will deal with the specific problem he raised.

With regard to hardship areas, I have gone to many parts. I went to an area known as Ndaragwa in Nyandarua and neighbouring constituencies. Teachers are facing hardships. Within the same climatic and geographical conditions, one side gets hardship allowance and the other does not. We got that request. I went to Nyatike in Migori County and Taveta. We

got the same request. I assure you that we are putting together a list of all areas that require to be considered for hardship allowance and then we will follow the normal process of enabling them access hardship allowance. For teachers in Nyandarua County as in any other parts of the country, we will progressively address this problem. That is so that we make sure teachers are available in our schools as we move on.

I am happy to report to this House that one problem we have encountered as a country is on higher education. This is because the criteria we used was known as the Differentiated Unit Cost (DUC) where the Government of Kenya was supposed to support every programme at a cost of 80 per cent. For the last five years, Members, you are aware that the amount you allocate to our universities has not managed to cater for the 80 per cent as required and as provided for in that policy. Like in this financial year, the total amount that we have been able to give to our public universities is 48.1 per cent. As we are here, considering the recommendation we have got from the Presidential Working Party, His Excellency the President of the Republic of Kenya is unveiling a new funding model to our public universities. It will guarantee sustainability of our universities. It will also give accessibility to our universities as well as ensure that those who come from poor families are well taken care of considering the funding model we have come up with. I think His Excellency the President of the Republic of Kenya is announcing it as we are here.

There is a capitation of Ksh185,000,000 per month to Egerton University. Their salaries alone take Ksh221,000,000 every month. You can see that they are working on a deficit every month. Apart from working on their funding model, we are also working on governance and management matters. This is because the other problem ailing our universities relates to governance and management matters.

Hon. Speaker, we are doing our best to ensure that we undertake a qualitative process in the appointment of the university council to make sure we get men and women who can manage our universities in a better way. We hope that with the new funding model that is being unveiled today by the His Excellency the President, Egerton and other universities will overcome the problems they have. The 2012 Act had a loophole and as a Ministry we have made a recommendation to this House. As we know, since 2017 part of the funding has been going to our private universities. We have sent amendments, which I hope you will make as a House.

As for Chuka University, I want to assure the Member that we are appointing the council. We have Public Service Commissioners who have already appointed a Vice-Chancellor. Once we have a council in place, in two weeks' time you will know your Vice-Chancellor and your Council Members.

Finally, the good news for this country is that we are starting a National Open University. All the processes have been undertaken by the Commission for University Education as provided under Section 24 of the University Act. It is categorized as a specialized university and we request Hon Members to give approval because when you look at the neighbouring countries like Tanzania, South Africa and almost every other country, they have open universities which have a lot of advantages concerning the quality and access to education. We, therefore, request for that approval.

I thank you, Hon. Speaker

Hon. Speaker: Thank you, Hon Members and Cabinet Secretary. I am inclined to stop here on the Questions to the Cabinet Secretary for Education. I know you have many questions. Now that we are going on recess tomorrow, I will direct the Clerk to invite the Cabinet Secretary on the First Sitting after recess so that you can ask more questions. I know that many Members, including Hon. Ng'elechei, Raso, Wambilianga, among others, have approached me. Each of you has a legitimate right to ask a question.

COMMUNICATIONS FROM THE CHAIR**PRESENCE OF DELEGATION FROM KENYATTA UNIVERSITY
SCHOOL OF LAW IN SPEAKER'S GALLERY**

Hon. Speaker: Hon. Members, allow me to acknowledge students from Kenyatta University School of Law, who are seated at the Speaker's Gallery, namely:

1. Kimani Njenga;
2. Laureen Atieno;
3. Martha Jepkemei;
4. Florence Atieno;
5. Joseph Barasa;
6. Moureen Kamuhia;
7. Pauleen Ndirangu; and,
8. Emily Ogonyo.

The delegation has visited Parliament as part of its participation in the ongoing 4th International Parliamentary Conference on the Freedom of Religion and Belief, which is taking place at the Nairobi Serena Hotel where the National Assembly is being represented by the Deputy Speaker Hon. Gladys Boss Sholei MHG, MP., and Hon. Beatrice Elachi MP. On my behalf and on your behalf as a House, I wish to welcome the delegation and wish them a fruitful undertaking.

Thank you, you may take your seat.

Hon. Members, I have a further communication before we call in the next Cabinet Secretary.

INDUCTION WORKSHOP FOR MEMBERS' PERSONAL ASSISTANTS

Hon. Speaker: Hon. Members, over the past few years, the Parliamentary Service Commission has endeavoured to provide a favourable working environment for Members of Parliament, including availing to them professional teams of staff. Coupled with this, Members are able to engage other support staff including personal assistants. In this regard, in light of the fact that the support staff engaged by Members ought to be conversant with the procedures and operations of the National Assembly, the Office of the Clerk has organised a two-day induction workshop for personal assistants of all Members of the National Assembly. The workshop under the theme *'Becoming an Effective Parliamentary Assistant'* is scheduled to take place in two days formats composed of three groups. The first group is scheduled from 8th to 11th, the second from 11th to 14th and the third from 14th to 17th of May 2023 at a venue to be communicated by the Clerk's Office in due course. The key objective of the workshop is to offer an opportunity for the personal assistants to be apprised of the workings of the National Assembly, including their day-to-day interactions with various directorates and departments.

Hon. Members, I therefore, call upon you to nominate your personal assistants to attend the induction workshop by submitting the name of one personal assistant by filling a form or a nomination register at the main reception of the Main Parliament Buildings by Friday 5th May 2023. Additional information regarding the workshop will be communicated through the Bunge Bulk SMS system.

I thank you.

Hon. Speaker: Hon. Machogu, as you can clearly see, your Ministry attracts tremendous attention and interest from Members of the House. Literally, each and every Member here has wished to ask a question but we are limited by time because we have your colleague, the Cabinet Secretary for Energy and Petroleum waiting. As for the Members who

did not get opportunity, the Chairperson apologises but we will summon Hon. Machogu to appear before this House on the first Wednesday after recess. We resume on the 6th, which is a Tuesday. So, I direct that Hon. Machogu comes back on 7th, which is not too far away. I will ask the Clerk to avail to me the list of the Members who have already asked questions today so that I can put you in the cooler to give room to those who did not get an opportunity to ask questions in order to give everyone a fair chance. Is that agreed?

Lastly, Hon. Machogu, thank you for honouring the invite and for answering questions clearly even though you have a lot more to answer the next time you come to the House. As you can see, the Members have questions from every single part of the country - some related and some unrelated - all towards the education of our children, the welfare of our teachers, the facilities available in schools and equity in distribution of those facilities. I thank you. You and your team are released.

Serjeant-at-Arms, you may now bring in the Cabinet Secretary for Energy and Petroleum.

[The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir) was ushered into the Chamber]

Hon Members, we now have the Cabinet Secretary for Energy and Petroleum, Hon. Davis Chirchir. You are welcome to Parliament. The first Question will be from the Member for Malindi, Hon. Amina Mnyanzi. I have not seen her all afternoon. Did she also walk out? Hon. Amina Mnyanzi! The Question by Hon. Amina Mnyanzi is dropped.

(Question 094/2023 dropped)

(Hon. Shakeel Shabbir spoke off-record)

Hon. Speaker: Hon. Shakeel, you can only ask the Question on her behalf if there is a written request from the Member herself to the Speaker. That Question is dropped.

Next is Question 095/2023 from the Member for Mandera South, Hon. Abdul Haro.

Hon. Abdul Haro (Mandera South, UDM): Thank you, Hon. Speaker.

Hon. Speaker: Hon. Haro, can I request you to hold back? You have asked more than your fair share this afternoon. Let me give an opportunity to the next Member. I will come back to you a little later, so that in case we run out of time, you would have had several bites of the cherry this afternoon.

Cabinet Secretary, just note that the Question from the Member for Mandera South will come slightly later.

Member for Kibwezi East, Hon. Jessica Mbalu. Hon. Jessica Mbalu was just here. Serjeant-at-Arms, if she is at the back, we will give her an opportunity. Let me ask the Member for Laisamis, Hon. Lekuton, to ask his Question. I have not seen him today. Is he in the Chamber? Or Joseph, you may ask your Question.

Question 98/2023

SUPPLY OF ELECTRICITY TO LOIYANGALANI, KARGI
MT. KULAL AND SOUTH HERR TOWNS IN LAISAMIS

Hon. Joseph Lekuton (Laisamis, UDM): Hon. Speaker, I rise to ask the Cabinet Secretary for Energy and Petroleum the following Question:

Could the Cabinet Secretary –

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- (a) indicate when Loiyangalani, Kargi Mt. Kulal and South Horr towns will benefit from electricity connectivity, considering that they are not yet connected to the national grid?
- (b) explain what plans the Ministry has to ensure that the said towns are connected to sufficient and uninterrupted power supply, considering that the said towns are rapidly growing with many education and health facilities, among other public utilities, that require power supply?

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Lekuton. Cabinet Secretary, just hold on. Because of pressure of time, I will allow a second Question. You may sit and take your notes.

Hon. Members, Question 135 is by Hon. Robert Mbui, who does not seem to be here, but he had asked me to take it off the Order Paper. He alleges that the Clerks mutilated his Question and that this is not the way he wanted it framed. Clerk, you will have to check on that Question and see how to reframe it.

(Question 135/2023 withdrawn)

Hon. Jessica Mbalu, move quickly to your seat and ask your Question. Hon. Jessica Mbalu is asking Question 097 of 2023.

Question 97/2023

SUPPLY OF ELECTRICITY TO PUBLIC SCHOOLS AND
INSTITUTIONS IN KIBWEZI EAST

Hon. Jessica Mbalu (Kibwezi East, WDM): Hon. Speaker, I rise to ask the Cabinet Secretary for Energy and Petroleum the following Question:

Could the Cabinet Secretary –

- (a) provide details of the number of public primary schools and secondary schools and other public institutions in Kibwezi Constituency that are not connected to electricity and the steps being undertaken to ensure the said institutions are connected to electricity?
- (b) outline measures that the Ministry has put in place to either service or replace the dysfunctional and obsolete Solar PV Systems that were installed to provide uninterrupted power supply to various public institutions in the country and particularly in Kibwezi East Constituency, especially primary schools where power is critical for supporting the digital learning programme?

Hon. Speaker: That is your Question. Cabinet Secretary, let us now take the Question from the Member for Mandera South, Hon. Haro.

Question 95/2023

STATUS OF ELECTRICITY CONNECTION IN MANDERA SOUTH

Hon. Abdul Haro (Mandera South, UDM): Hon. Speaker, I rise to ask the Cabinet Secretary for Energy and Petroleum the following Question.

Could the Cabinet Secretary –

- (a) provide a status report regarding electricity connectivity to homes and public institutions in Mandera South Constituency, and explain the reasons why the

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Constituency is the only one out of six constituencies in Mandera County that missed out on the second and third phases of the Last Mile Connectivity Project?

- (b) explain why the electrification programme in Wargadud area and in Kotulo, Kutayu, Boji and Lehele locations in Mandera South Constituency has stalled, and indicate any plans for completing the said project, including replacement of faulty poles on the power line to Wargadud?
- (c) state when transformers in the following areas will be supplied: Bulla Power, Qobo-Dabacity, Bulla Qolati, El Safara Mosque, Bulla Moyale, Bulla Nguvu, Al-Uteybi 'A', Al-Uteybi 'B', Bulla Kisima, Elwak Secondary School and its environs, Irres Suki, Bulla Wagberi, Elwak Post Office and its environs, El-Hache and its environs, Elwak Girls Primary and its environs, Bulla Gesrebki, Bulla Watiti, Bulla Duse, El Ram A, Abbey Umur (El Ram B), Chachabole, Irres Kinto, Elele, Allo Boji, Kobb Adadi, Tutes and Burmayo?

Thank you.

Hon. Speaker: Cabinet Secretary, those are three Questions. You may proceed to answer them in the order that they were asked. Thereafter, we will take supplementary questions.

Yes, Nominated Member. Why is your hand up? Give the Member the microphone.

Hon. Abubakar Talib (Nominated, WDM): Thank you, Hon. Speaker.

Hon. Speaker: Oh yes, I recall.

Hon. Abubakar Talib (Nominated, WDM): Yes, you jumped the Question.

Hon. Speaker: The reason I jumped the Question is that you volunteered to ask it, but the Questioner, Hon. Ruweida Obo, had written to the Hon. Speaker asking the Member for Malindi to ask the Question. The Member for Malindi is not here. There is no transferred responsibility to you in writing. I will not drop the Question, but I will defer it to next time. So, you may inform Hon. Obo if she instructed you. Next time, tell her to write to the Speaker.

(Question 96/2023 deferred)

Go ahead, Cabinet Secretary.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Hon. Speaker and Hon. Members of the National Assembly, allow me to wish you a good evening. It is a pleasure to be here to interact with Members and to really put a face to what we are doing, so that we can continue to work together in powering our economy. I will continue to make remarks as we move forward, but let me start with Question 098 from Hon. Joseph Lekuton, Member for Laisamis.

Mheshimiwa, you asked us to indicate when Loiyangalani, Kargi Mt. Kulal and South Horr towns will benefit from electricity connectivity, considering that they are not yet connected to the national grid. *Mheshimiwa*, we are working with the Rural Electrification and Renewable Energy Corporation (REREC), which is currently implementing the electrification of Loiyangalani Town at a cost of Ksh141 million. The contractor is currently carrying out pole erections on the project, and it will be completed within six months - that is by October 2023. Kargi area is planned for implementation under the World Bank Funded KOSAP Mini-Grids Programme. The bidding documents have been submitted to the World Bank for approval to facilitate advertisement of the tenders. The KOSAP is projected for completion by December 2024.

Mt. Kulal area will be served under the Gatab, which is a proposed site under the World Bank KOSAP Mini-Grid II Programme. The bidding documents have been submitted to the

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World Bank, together with those for Kargi, for approval to facilitate advertisement of the tenders. The completion date is December 2024.

South Horr Town is far off the grid. It is proposed that a stand-alone power generating station be installed to serve the town subject to availability of funds. *Mhe.* Lekuton, I confirm that we will push for funds to be allocated for this power generator so that we can serve South Horr Town in the next financial year.

On your second question, you asked us to explain the plans the Ministry has to ensure that the said towns are connected to sufficient and uninterrupted power supply considering that the said towns are rapidly growing with many education and health facilities, among other public utilities that require power supply. I confirm that the ongoing electrification projects in Loiyangalani are being fast-tracked to ensure all the businesses and households are connected to electricity within the next six months.

Kagri and Mt. Kulal towns will be electrified under the World Bank KOSAP Mini-Grid Programme. For South Horr, we will have a stand-alone generator that we will provide in the next financial year.

Loiyangalani is a very important area. It is a landmark where 310 Megawatts of wind power is generated. It is the biggest single plant in Africa. During my vetting, *Mhe.* Raso Dido, the Member for Saku, was concerned on why we generate so much power and bring it to the load centre in Nairobi. I confirm that we have received funding to build a line to Marsabit and Isiolo. This will give us a grid that we can reticulate and provide power within that region.

On Question 97 by Hon. Jessica Mbalu, the REREC, which deals with the Last Mile Reticulation, has electrified various facilities including primary schools and transformer maximisation programmes in Kibwezi East Constituency. The status of electrification showing the completed project, ongoing projects and those awaiting funding is summarised in Annex 2, which is in my response to the House - REREC projects to complete the ongoing projects by end of June 2023 as shown in Annex 2.

As per our records, there are 141 primary schools in Kibwezi East unless we have recent additions. Out of these, 95 primary schools are on the grid according to our records and 38 are on solar PV system. Ten schools comprising eight primary schools and two secondary schools are yet to be connected but are being designed for consideration subject to budget availability. A total of 38 primary schools are installed with solar PV systems, as per the table appended in my Appendix. Out of these, 14 have been maintained and are in good working conditions. The remaining 24 primary schools await maintenance. The maintenance programme in the constituency is prioritised based on availability of budget.

I confirm that my team, REREC and I are working to ensure that we provide budgetary allocation for maintenance. I appreciate that most of the questions from the House deal with the life of the Solar PV, which have died. We need to maintain them. We will provide budget allocation in our planning so that we have consistent maintenance of those solar-powered schools so that they do not run out of power. As stated earlier, some of the projects in Kibwezi East are in the design and survey phase. We will complete them...

Hon. Speaker, allow me to make a general statement that cuts across most of the Members' concerns. The REREC has done a great job. We appreciate that the Members of this House have been very supportive to the extent of putting a matching fund in support of REREC in accelerating the development of the Last Mile Connectivity Programme. We will work with Members to confirm the outstanding public facilities in your constituencies. I had a meeting with the Departmental Committee on Energy that is chaired by Hon. Victor Munyaka. We are working on schedules for all public institutions, for every constituency, to audit those institutions that have not been reticulated with power to date. We need to work together to provide adequate budget to this. In this financial year and the next, we should finish providing power to all our public institutions.

Thereafter, we will have the maximisation programme to ensure that our citizenry within the schools have power.

Hon. Hilary Kosgei (Kipkelion West, UDA): On a point of order.

Hon. Speaker: What is your point of order, Hon. Member? Give the Hon. Member a microphone.

Hon. Hilary Kosgei (Kipkelion West, UDA): Hon. Speaker, the Cabinet Secretary has referred to the Chairperson of the Departmental Committee on Energy as Hon. Victor Munyaka. Are we sure that he is answering the right Questions?

(Laughter)

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Thank you *Mhe.* Hillary. I meant to say Hon. Vincent Musyoka. I have seen him in the House. Chairman, I am sorry for referring to you as Hon. Munyaka.

We have been working with the Chairperson, Hon. Vincent Musyoka Kawayo. We will provide schedules for all the public institutions in all the constituencies through the Clerk of the House. This is for Members to help us confirm public institutions that have not been reticulated with power. We will then work together to provide adequate budget so that in the next two years we will have finished powering all our schools and health centres for the benefit of the citizenry.

The other question by Hon. Jessica is to outline the measures that the Ministry has put in place to either service or replace dysfunctional and obsolete solar PV systems that were installed to provide uninterrupted power supply to various public institutions in the country, and particularly Kibwezi East Constituency, especially primary schools where power is critical for supporting the digital learning programme.

Hon. Speaker, REREC has a total of 4,870 primary schools which are installed with PV systems. This project has been in existence for eight years now, since the first ones were installed. Hence, most of the systems are due for maintenance. Cumulatively to date, a total of 1,787 solar PV systems have been maintained and another 156 are currently being maintained. The REREC is carrying out continuous scoping of primary schools for maintenance subject to budget availability. As I said, we will work together to ensure that we have adequate budget to reticulate where there is no grid. More importantly, we will ensure that the solar PV systems that we installed are in good working order. We will work together to ensure that we provide adequate budget. I do not think it is enough to tell this honourable House that it is subject to budget availability.

The Government is adopting the following strategies to service and replace dysfunctional and obsolete solar PV systems. That includes the primary schools solar maintenance replacement programme that will be continuous or ongoing based on availability of budget. We will work together to make sure there is budget for maintenance. I want to confirm that we recruited a number of staff in REREC late last year. We have adequate staff to cover most of those regions. If we run these maintenance programmes, we will ensure that we have everything in good working order.

The REREC is continuously developing in-house technical capacity through various training to carry out repairs or maintenance of the solar PV systems in public institutions by our team of engineers and technicians. In our endeavour to attain universal access to electricity, the Government has a medium-term strategy to extend the grid to schools which are installed with solar PV systems and eventually electrify all households within a radius of 600 metres, through what we all know, within the Maximization Programme.

There is also continuous sensitisation or advocacy of the school management to replace failed or burnt lights and enhance security to discourage vandalism of the solar PV systems.

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Sometimes they are also targets of theft. We really need to secure them. We will work on those programmes together to ensure that our solar PV systems are in good working order in Kibwezi East Constituency.

Thank you.

Hon. Jessica Mbalu (Kibwezi East, WDM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Jessica.

(Hon. Jessica Mbalu spoke off-record)

You will have an opportunity to ask a supplementary question after this.

Hon. Jessica Mbalu (Kibwezi East, WDM): I have a copy of the answer from the Cabinet Secretary for Energy and Petroleum. Before he moves to my other colleague's Question, I want to appreciate him for the answers he has given to my Question.

Hon. Speaker: Hon. Jessica, I will not allow you to use that shortcut. Take your seat. I will give you a supplementary question opportunity. You can appreciate the Cabinet Secretary, when I give you the supplementary question opportunity.

Move on to the next Question. I had given him three questions, Hon. Jessica. I wanted him to answer all of them, which he has done. These are Questions by Hon. Lekuton, Hon. Haro and yours. When he finishes, I will come back to you.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Thank you, Hon. Speaker.

Question 95 is by the Member for Mandera South Constituency, Hon. Abdul Haro. Could the Cabinet Secretary provide a status report regarding electricity connectivity to homes and public institutions in Mandera South Constituency and explain the reasons why the constituency is the only one out of six constituencies in Mandera that missed out on the second and third phases of the Last Mile Connectivity Project?

Let me refer to REREC, which has implemented five transformer maximisation projects in Mandera South Constituency worth Ksh39.98 million. Another five public facilities projects have also been financed to a tune of Ksh154.35 million over the same period. In addition, a total of 61 public primary schools have been electrified with six projects on grid and 55 projects installed with solar PV systems. The detailed status and names of the various projects which have been implemented or are being implemented are attached as Annex 1 in my response.

The list indicates the areas in Mandera South that have been connected to electricity under Government of Kenya funded Last Mile Connectivity Projects and our partner, Africa Development Bank (AfDB) Phase 1 Last Mile Connectivity Project. I do not know whether I should go through the schedule but it is appended. For example, we have Last Mile New Bula Slaughter area, which has 88 connections and Last Mile Handadhu in Mandera North which has 124 connections. I have the full list of the areas and the number of connections as requested by the Member on what we are doing.

The Constituency did not benefit from the Last Mile Connectivity Phases II and III since it was earmarked for implementation of Kenya Off-grid Solar Access Project (KOSAP), which has been completed. The projects which will be implemented under KOSAP are outlined below: Elele, Elgolicha, Elram, Finicharo, Nyatalio and Qalangalesa. I want to confirm that the tendering process for connection of the following public facilities in Mandera South has already commenced:

1. Burmayo Dispensary;
2. Chachabole Dispensary;
3. Garsesala Dispensary;
4. Alongo Dispensary;
5. El-Golicha Dispensary;

6. Elram Dispensary;
7. Falama Dispensary;
8. Qarsadamu Dispensary; and,
9. El-Hagarsu Mixed Day Secondary School.

There is another Question regarding Wargadud Area. The Hon. Member asked me to explain why electrification in Wargadud area and in Kotulo, Kutayu, Boji and Lehele locations in Mandera South Constituency had stalled. You asked me to indicate plans for completing the said projects, including replacement of faulty poles on the power lines to Wargadud. The repair of the Wargadud line has been approved and a contractor identified to carry out the works, which involve replacement of the rotten poles and vandalised wooden poles with concrete poles and wiring of 10 classrooms. These works will be completed within six months - that is by October 2023.

Kotulo Location is earmarked for connection under the World Bank KOSAP Mini-grids Programme. The bidding documents have also been submitted to the World Bank for approval to facilitate advertisement for prequalification of contractors.

With respect to Kutayu, Boji and Lehele Markets, the medium voltage line was constructed in 33 Kv rating. During its commissioning, it became overloaded and the receiving end voltage was higher than usual. This resulted in the need to downgrade a 14-kilometre medium-voltage power line from 33Kv to 11Kv. The project has been awarded to a contractor and will be completed within six months.

With respect to the transformers, you have asked me to state when the transformers in the following areas would be supplied: Bulla Power, Qobo Dabacity, Bulla Qolati, El Safara Mosque, Bulla Moyale, Bula Nguvu, Al-Uteybi A and B, Bulla Wagberi, Elwak Post Office and its environs, El-Hache and its environs, Elwak Girls Primary School and its environs, Bulla Gesrebki, Bulla Watiti, Bulla Duse, El Ram A, Abbey Umur (Elram B), and Chachabole, Irres Kinto, Elele, Allo Boji, Kobb Adadi, Tutes and Burmayo. The REREC has identified 28 projects in Mandera South Constituency which will be implemented once the budget is available.

Hon. Members, because of popularity of this project to power our economy, homes and our lives, I ask you that we work together to make sure that we get the budget. The projects inquired and their status are summarised in the table provided. I have shown the projects for which the designs have been completed and we are waiting for availability of budget. We should be able to finish Bulla Power in respect of project plans for survey, design and make budget availability as shown from item number two to the last one on Elwak Post Office and its environs all the way to Burmayo.

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

[The Temporary Speaker (Hon. Peter Kaluma) took the Chair]

Hon. Temporary Speaker, those are the three questions that I have basically done my best to cover. I have written responses with details. As I said, where budget is not available, we work together to ensure that we finish this project that started in 2013 at 2,000,300 connections and today we are at about 8.5 million.

Thank you, *Mheshimiwa*.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Cabinet Secretary, we will now take supplementary questions. We have the Member of Parliament for Bura.

Hon. Yakub Adow (Bura, UPIA): Thank you, Hon. Temporary Speaker. Bura Town, which is the headquarters of my constituency, has been experiencing power outages for the

longest time and the situation is worsening. This problem has been brought about by a line from Shika Adabu to Garissa County and back to Bura. My question is:

- (a) Could the Cabinet Secretary state plans by the Ministry to undertake connecting a direct line from an area within my Constituency called Shika Adabu to Bura Town because we believe the longevity of the line is what is causing the problem?
- (b) Could the Cabinet Secretary also state plans by the Ministry to create a sub-station within Bura Town to solve the problem of power outages?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Jessica Mbalu.

Hon. Jessica Mbalu (Kibwezi East, WDM): Thank you, Hon. Temporary Speaker. I have risen to have my comments on the written response from the Cabinet Secretary.

Let me start by appreciating the response by the Cabinet Secretary. As I congratulate him, it is important for us to look at the response by the Cabinet Secretaries especially to the questions they have come prepared to answer. I appreciate the promise by the Cabinet Secretary to contact every Member of Parliament as he does the budgeting. Why do I say so? I think it is good for the record. Some of the surveys being planned in the areas indicated in the response are not in my constituency. Areas like Jinsau, Ngiwa, Matithi and Mbuguani villages are not in Kibwezi East Constituency. Having served that constituency for 10 years, I have not heard of such a village. So, it is important, as the Cabinet Secretary has said, to talk to us especially on budgetary estimates.

I will be visiting your office just to ensure that we put the document together to ensure the areas that are being covered are in my constituency so that my budget is not depleted alone.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Jessica Mbalu, that was a very long statement. I request Members asking supplementary questions, especially Members whose questions have been responded to, to be brief. Members, remember that in our Standing Orders, the time within which the Cabinet Secretary should be in the House is limited and it is nearly done.

Can we have Hon. Lekuton? Hon. Lekuton, just be brief if you have a follow-up question. If you do not, appreciate the Cabinet Secretary and we move to the next one.

Hon. Joseph Lekuton (Laisamis, UDM): Thank you. I have a follow-up question. I thank the Cabinet Secretary for his appointment and also for being very brief and articulate on the questions asked.

I would like to finish by letting the Cabinet Secretary know that Mt. Kulal, which is supposed to be part of the solar programme, is not very conducive – it does not get a lot of sun. It is a mountain with a lot of forest. I ask the Cabinet Secretary to consider putting a hybrid solar system together with a generator at Mt. Kulal.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Cabinet Secretary, I request you and your team to take note so that we take as many questions as possible. Let us have Hon. Abraham Kirwa.

(A Member spoke off-record)

Hon. Abraham Kirwa (Mosop, UDA): Thank you, Hon. Temporary Speaker. I thank the Cabinet Secretary for the opportunity to come to the House. In Mosop, connectivity is below 28 per cent. There are 48 schemes that had already been designed and total the estimates issued. We have tried as a constituency to reach out to your Ministry to know when you will

be able to fund these 48 schemes to allow us move from 28 per cent to at least 70 per cent. Mosop is one of the darkest constituencies in the whole country.

I want to know from the Cabinet Secretary the plans he has to fund some of the 48 projects that have already been submitted to the Ministry and the plans of the Ministry to make Mosop's connectivity go high.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Abdul Haro.

Hon. Abdul Haro (Mandera South, UDM): Thank you. I must say I am satisfied with the answer given by the Cabinet Secretary.

The Temporary Speaker (Hon. Peter Kaluma): Order, Hon. Members. There is a lot of commotion here. I do not know whether the interest is in the energy sector or in the Cabinet Secretary.

(Laughter)

I can assure you that under the Standing Orders, I am going to allow three more questions, which the Cabinet Secretary will respond to and then we will move on to the next Order. You know what your own Standing Orders say.

Proceed, Hon. Haro.

Hon. Abdul Haro (Mandera South, UDM): Cabinet Secretary, I have one follow-up question to my Question. Before I ask it, I must say that as we speak, the only area that had remained with electricity – Elwak Town – has been under blackout for the last two weeks because of a faulty generator which has taken more than two weeks to repair. You have already talked about the other two areas of Kotulo and the Wargadud where you have said the repair works will be complete by October. That repair work has been ongoing for the last one year and it has taken too long. Those two areas have been in darkness and now the third area, Elwak, is in complete darkness. You indicated in your Report that the constituency did not benefit from Last-Mile Phases II and III since it was earmarked for the implementation of KOSAP, which has been completed. Hon. Cabinet Secretary, what criteria was used to select Mandera South only for KOSAP and leave it out from the Last-Mile Phases II and III and not the other five constituencies?

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Give the microphone to Hon. Ali Abdisirat Khalif to ask his question. Is it that the electronic system of Parliament is not working or what is happening? Parliament has a way of dealing with all the issues. Do not worry.

Hon. Abdisirat Khalif (Nominated, UDA): Thank you, Hon. Temporary Speaker. Hon. Cabinet Secretary, fuel subsidy was introduced by the last Government to cushion the public against high fuel prices. This has caused an accumulation of close to Ksh50 billion owed to oil marketing companies. As a result, we have small and indigenous oil marketing companies that have closed shop because of the unnecessary and unplanned subsidy. Employees have been rendered jobless and assets are being auctioned due to this issue. My question is: When will the Government pay the money owed to oil marketing companies?

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Hon. Owen Baya. Hon. Members, is this the last question?

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. Hon. Cabinet Secretary I have two questions...

The Temporary Speaker (Hon. Peter Kaluma): Cabinet Secretary, I request that you take notes. I think we need the Cabinet Secretary for Energy in the House for a whole day. I cannot imagine the traffic in his office. So, try to take as many questions as possible because I

want you to respond once and then we move on to the next business on the Order Paper. Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. The first question is on the issue of power and water. For us to pump water, we need power and the cost of power is very exorbitant. So, it makes water very expensive. Water is pumped from Baricho to Mombasa, Kilifi and other parts, and it has become very expensive because the tariffs for pumping water are the commercial ones. Yet, we are supposed to have water at a very low cost. The water companies in the region cannot pay for the power tariffs. So, always there is disconnection of power hence we do not have water in our taps. What plans do you have to ensure that there is a special tariff for pumping of water?

Secondly, a lot of work has been done through REREC and Last-Mile Connectivity but they are incomplete because of lack of transformers and meters. So, there are many wires hanging. What plans do you have to ensure transformers and meters are available so that these projects can be completed?

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Thank you Hon. Owen Baya. Hon. Naisula Lesuuda.

Hon. Naisula Lesuuda (Samburu West, KANU): Thank you Hon. Temporary Speaker. If the people of Samburu West do not see me asking this question, today I will be killed. I want to ask the Cabinet Secretary whether he is aware that Samburu West Constituency is served by a sub-station which is 230 kilometres away in Lanet while there is a sub-station in Rumuruti which is 100 kilometres away. The county should have its own sub-station which has been incomplete and has not been commissioned. I want an update on whether he is aware, when the sub-station will be completed and commissioned so that it can avert the continuous power outage that has continued in Samburu West and Maralal Town, and brought a lot of devastation to the people.

The Temporary Speaker (Hon. Peter Kaluma): Next is Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Hon. Temporary Speaker, at the outset, I want to thank the Cabinet Secretary for having taken a personal initiative in making sure that Wajir and Dadaab are catered for. I want to ask him in line with the overall Government policy of making sure that certain infrastructures are spread to the North, which traditionally in this country from the time of colonialism until 60 years after Independence has been marginalised... The road and other sectors are taking an affirmative action to make sure that those areas are properly served. Can the Cabinet Secretary tell us what kind of projects, programmes and plans he has for connecting the whole of the North-Eastern region or what was formerly known as the Northern Frontier District (NFD) and Eastern Provinces all the way to parts of the Rift Valley, including Samburu and Turkana?

Thank you, Hon. Temporary Speaker.

(Hon. (Dr.) Robert Pukose spoke off-record)

The Temporary Speaker (Hon. Peter Kaluma): Member for Kamukunji. The last time I checked I was told the right side of the Speaker is the Government side. You will get a chance. I know the Cabinet Secretary will be gracious enough to take your questions and have them addressed. You will have your chance. Hon. Yusuf.

(Laughter)

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Temporary Speaker. My question is about my neighbourhood in Kamukunji and specifically Eastleigh, which has grown

rapidly in the last few years and become a major business hub. This neighbourhood is short-changed in terms of electricity supply. It does not get sufficient and continuous supply. It has become a city within a city but has been ignored and to a certain extent is being choked to death by Kenya Power - which, on a daily basis, carries out an unannounced and deliberate power cuts.

These power outages are affecting and paralysing business activities thus causing heavy losses to local traders. They include disabling and deactivating transformers that are routinely organised by Kenya Power syndicates that operate in Eastleigh and collect bribes and extort the traders in the neighbourhood. Sometimes these shameless Kenya Power operatives remove transformers from one street to the other after being paid by local traders. The question I want to ask is: What measures is the Cabinet Secretary taking to ensure that this business hub continues to get uninterrupted and sufficient energy supply all the time? What steps is the Cabinet Secretary taking to stop the orchestrated and deliberate power cuts? What actions would he take against the Kenya Power criminal group that is running amok in Eastleigh?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, the next Order is No.8 on the approval of nominee for appointment as a Member of the SRC. I also note that most Members are asking questions not related to the questions previously remitted to the Cabinet Secretary. Cabinet Secretary, are you still able to take more so that you respond at once? Or do we leave it at that?

(Hon. David Chirchir spoke off-record)

The Cabinet Secretary has confirmed that he is ready to take a few more questions. Hon. Nabii Nabwera, the last one on the left side.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Temporary Speaker. Cabinet Secretary, what are you doing to ensure that we achieve equity in distribution of power in the country given that some constituencies, like mine, have been left behind in the Last Mile Connectivity Programme?

The Temporary Speaker (Hon. Peter Kaluma): Hon. Letipila, Member for Samburu North. We are definitely done with the left side. We are moving towards the Cabinet Secretary now.

(Several Members spoke off-record)

Hon. Letipila, Member for Samburu North!

Hon. Letipila Eli (Samburu North, UDA): Thank you, Hon. Temporary Speaker. The communities in Samburu North gave their land for the generation of power to the National Grid through Lake Turkana Wind Power. The said power passes across the breadth of the Samburu North Constituency, yet not an inch of it is connected to the National Grid, 60 years after Independence. Can the Cabinet Secretary tell the House when the towns of South Horr, Baragoi and other towns along the power line will be connected to the National Grid or any other reliable power other than the relic second-hand generators? The generators like the one currently in use in Baragoi are beyond repair.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Kitany.

Hon. Marianne Kitany (Aldai, UDA): Thank you very much, Hon. Temporary Speaker. I would like to ask a question about optimisation of transformers that have already been installed. Aldai Constituency has about 27 per cent connectivity. We have many transformers that have been connected to schools, but the villages and homes around 600-metre

radius have not been connected. Therefore, we would like to know the plans that the Ministry has to connect or optimise the already installed transformers.

Secondly, we have power but it is very expensive. Many people feel that this power is very expensive. Can the hydro power stations that are there, like the Turkwel Hydro Power Station, be optimised so that the cost of power can come down?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Temporary Speaker. Marsabit evacuates almost 310 MW to the National Grid. However, it is the only major town in this country that still runs on rickety generators. What effort is the Ministry doing to have us on the National Grid so that we are also part of Kenya?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Paul Biego, Member for Chesumei.

Hon. Paul Biego (Chesumei, UDA): Thank you, Hon. Temporary Speaker. Kudos to REREC. They are doing designs in my constituency. My first question to the Cabinet Secretary is what the Ministry will do to enable and assist us in funding thereafter. Secondly, people living with disabilities have a reprieve of Value Added Tax (VAT) exemptions in the bills. I would like the Cabinet Secretary to confirm to us whether that is the case; that, they are not being charged VAT.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Ferdinand Wanyonyi.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you, Hon. Temporary Speaker for the time. I have been here for some time. I would like to ask the following question to the Cabinet Secretary:

I come from Kwanza, Trans Nzoia County and we have upcoming markets and shopping centres that need floodlights because of security. Who actually pays for this? What are you doing about the upcoming centres that need floodlights because of security in Kwanza Constituency?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Victor Koech.

Hon. Victor Koech (Chepalungu, CCM): Thank you very much, Hon. Temporary Speaker. I would like the Cabinet Secretary to explain the low connectivity to electricity within Chepalungu Constituency. Although several primary schools have been connected, the households have not been connected. I would like him to explain the steps he is taking to connect the households.

Secondly, the high cost of electricity in the country is brought about by diesel generators. I would like the Cabinet Secretary to explain the steps he is taking to retire the expensive diesel generators, especially in Muhoroni, so that we have low-cost electricity in the country.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr.) Pukose.

Hon. (Dr.) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker. For the last two financial years, many constituencies have not been connected to electricity, both in terms of transformers and the Last Mile Connectivity Programme, which covers 600 metres. We were told that it was because REREC was not properly constituted. At one time, procurement had problems. Could the Cabinet Secretary clarify, specifically in relation to my constituency of Endebess, when connectivity will be done?

The Temporary Speaker (Hon. Peter Kaluma): Member for Elgeyo Marakwet.

Hon. Caroline Ng'elechei (Elgeyo Marakwet, Independent): Thank you, Hon. Temporary Speaker. Why was Elgeyo Marakwet excluded from benefitting from the Last Mile Connectivity yet the county is below 30 per cent in connectivity, especially Marakwet East which is at 8 per cent connectivity? Again, there are over 100 projects whose contracts were awarded but were never done and contractors left site. When will the contractors complete the projects?

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Kamuren.

Hon. Charles Kamuren (Baringo South, UDA): Thank you, Hon. Temporary Speaker. Can the Cabinet Secretary state when he is going to open an office of Kenya Power Company in Kapen, Mochongoi region, which is being served from Nyandarua that is very far? What is the Ministry doing towards restoration of peace over issues of electrification of Rukus, Mukutani and Arabal locations?

The Temporary Speaker (Hon. Peter Kaluma): Member for Kesses.

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Temporary Speaker. There are many projects which have been designed and contractors have moved to sites, but they have not been connected to power. One is in Plateau, where cross arms are missing. They are not in the store. Crucial materials are missing. They have been subjected to several vandalisms - one is in Kapkoiga in my constituency. This is notwithstanding the fact that electricity connectivity in Kesses is below 30 per cent. What is the Ministry doing, because we are already losing materials on site?

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you. Sometime back, there was an allegation that very many transformers had been bought by Kenya Power. We were told that investigations were going on and the Government would give us a report on why many transformers were ordered but they were not in use.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Jayne Kihara.

Hon. Jayne Kihara (Naivasha, UDA): Thank you, Hon. Temporary Speaker. I have four questions but I will ask only one. I was supposed to have tea with the Cabinet Secretary yesterday. When I postponed and told him to reschedule to today, I did not get a response. I still hope he owes me that cup of tea.

Can he tell this House when he is going to pay owners of properties that were taken by KETRACO during construction of the Ethiopian line? There was a report in this House to revalue the plots because KETRACO had undervalued them. The affected people are suffering during these hard economic times and yet their properties have been taken by KETRACO.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Hillary Kosgei.

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Temporary Speaker. In my constituency, there is a team of Kenya Power employees moving round removing meters from members of the public. I want to ask the Cabinet Secretary whether he knows there is a team of Kenya Power employees that has been moving round removing meters of members of public in my constituency. When they remove the meters, they tell the public that those meters belong to other counties and yet, the same employees of the Kenya Power brought the meters. Why is Kenya Power punishing their customers for their own mistake?

The Temporary Speaker (Hon. Peter Kaluma): Cabinet Secretary, are you able to take three more supplementary questions, or we leave it at two? I do not know the interest of Members of Parliament in the energy sector. I will have difficulties if I denied them an opportunity, particularly the ones on this side. Cabinet Secretary, there is a Motion I want them

to stay behind to pass, not just to debate. Would the Cabinet Secretary allow us to take two more questions to be answered? I start with the MP for Kericho County.

Hon. Beatrice Kemei (Kericho, County): Thank you, Hon. Temporary Speaker. I want to thank the Cabinet Secretary for coming here to answer our questions. There were some projects that were done by REREC in Kericho County. They have been completed, but they are not energised. The reason is lack of meters by Kenya Power that has taken three to five years. This has caused vandalism of lines, stealing of the wires, and even lack of trust in the Government. What plans does the Ministry or the Cabinet Secretary have in connection with this? Otherwise, REREC is doing its best.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Dekow Barrow, the Member of Parliament who replaced the former Leader of the Majority Party. Is it not so?

Hon. Dekow Mohamed (Garissa Township, UDA): Yes.

The Temporary Speaker (Hon. Peter Kaluma): Proceed.

Hon. Dekow Mohamed (Garissa Township, UDA): Thank you, Hon. Temporary Speaker, and the Cabinet Secretary. I represent Garissa Township. Garissa Township is connected to the national grid. Garissa Township is home to a 54-Megawatt solar power station. Unfortunately, we continue experiencing severe shortage of power. The only factory in the constituency or in the county is on the verge of closure because of inadequate power supply. At the same time, meters have not been supplied to clients who have paid for them over the years. I would like the Cabinet Secretary to take note of that and advise or tell the people of Garissa Township Constituency what the problem with power supply of Garissa is. We are experiencing this problem daily.

The Temporary Speaker (Hon. Peter Kaluma): Lastly is Hon. Edith Nyenze, Member of Parliament for Kitui.

Hon. Edith Nyenze (Kitui West, WDM): Thank you. I am the Member for Kitui West. My question to the Cabinet Secretary is on the pre-paid meters that were stolen in February at one of my sub-counties, that is Matinyani. The Kenya Power has not told us what we are supposed to do. My Question is what the ministry is doing about security, especially for the meters, and vandalism of transformers that is taking place in my constituency.

The Temporary Speaker (Hon. Peter Kaluma): Let us have Hon. Ruku. Could we agree that this be the last, Hon. Members? Remember we are dealing with a Motion on appointment of a commissioner that is timed by law, over which we have to make a decision. Remember also that when we passed the Standing Orders allowing Cabinet Secretaries to come to the House, the substantive Speaker directed that Committee Chairpersons can also pick some of these Questions and even those that are not asked. That is so that they can deal with them on committees' own motion, before the committees. Would we agree that this be the last consideration because the notebook of the Cabinet Secretary is also full? The Member of Parliament for Mbeere North.

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Temporary Speaker. My community Mbeere offered its watershed areas where our forefathers used to graze and take their cattle to drink water. This was done so that we can have dams that are generating power for this country today. One of the rules of natural justice is for KenGen or the Ministry to ensure that before the power is connected to the rest of the country, the people in the Mbeere community and more so Mbeere North, at least, have power. As it is now, over 600 villages in my constituency in Mbeere North do not have power since this country was created. KenGen has a regional office in my area and yet, we have very few people from Mbeere North and Mbeere South constituencies who are employed in those offices. Can the Cabinet Secretary tell us how he can redress the community in getting power as a matter of rule of natural justice as well as getting employment opportunities in our KenGen Regional Office?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Lastly, Hon. Mulyungi Gideon, former Principal or was it Permanent Secretary?

Hon. Gideon Mulyungi (Mwingi Central, WDM): Both. Thank you, Hon. Temporary Speaker. Sometimes, I wonder why the Government side is busy asking their own Government very many questions.

(Laughter)

The Temporary Speaker (Hon. Peter Kaluma): Ask your question.

Hon. Gideon Mulyungi (Mwingi Central, WDM): Hon. Temporary Speaker, Mwingi is a big town. It is the second-largest town in Kitui County. There are pockets around Mwingi Town that do have Last-Mile Connectivity. Can the Cabinet Secretary tell us what plans he has to ensure connectivity to those areas? There are too many primary and secondary schools that are yet to be connected to the grid.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Let us have Hon. Zamzam Chimba. The Cabinet Secretary is only going to take only five minutes to respond to all questions.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana Mhe. Spika wa Muda. Swali langu laenda kwa Waziri hivi: Tumepata kuwa katika Hospitali ya Rufaa ya Mombasa, Kampuni ya Umeme ilizima stima hospitali na ikaleta maafa hasa kwa watoto waliokuwa ndani ya *incubators* na wagonjwa waliokuwa ndani ya chumba cha watu mahututi. Huo ni wakati ambapo walikuwa wanaelewa kuwa Serikali haikuwa imetoa mgawo wa kifedha wa majimbo na walikuwa bado wanahangaika. Ni mbinu gani ambayo unaweka, kama Waziri, kuonyesha kuwa waweza ukasimama pamoja na wagonjwa hospitalini katika kusambaza stima na kuhakikisha kuwa ikiwa kuna deni, basi liweze kupelekwa kwa utaratibu lisiweze kuleta maafa?

Ahsante sana.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Eric Muchangi, the last question.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Temporary Speaker. I intended to ask the same questions as Hon. Hilary Kosgei regarding Kenya Power's decision to disconnect members of the public who had been receiving electricity services and were informed that they were not registered on the same meters. I would like to hear from the Cabinet Secretary on this matter.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much. Cabinet Secretary you have your platform to respond to the Members, and it will be five minutes because of the other businesses the House has to transact.

Hon. Members, any question which would not have been specifically responded to by the Cabinet Secretary, you are free to interact with him at his offices in the usual manner or direct them to the Chair of the relevant Committee. The Chairperson can have that separate meeting with the Cabinet Secretary within the context of the Committee.

Cabinet Secretary, proceed.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Thank you, Hon. Temporary Speaker. I hope I will make satisfactory statements to answer most of the questions.

Kenya has done very well from 2013, when we had 2.3 million electricity connections, to today where we have 8.5 million plus connections. It is a significant move. We laud the establishment of REREC, which was a principle to optimise a transformer. You recall that previously, a connection would cost as high as Ksh150,000, and we brought it down to Ksh15,000 under the Last Mile Connectivity Programme. You are not required to pay the

Ksh15,000. We connect you to electricity and bill the Ksh15,000 to your prepaid bill so that we recover it as you use electricity.

I just wanted to confirm that whereas Kenya Power is a listed company that operates commercially, we have REREC, which is fully funded by the Government of Kenya to accelerate provision of power to homes and to power or provide the energy that we use on a day-to-day basis in our economic activities. The Ministry of Energy and Petroleum recognises that to a great extent, Members of Parliament support the Last Mile Connectivity Programme's initiative to expedite the delivery of electricity. We will work together. I say that cognisant of the fact that Members have set up a matching fund through the NG-CDF to accelerate the Last Mile Connectivity Programme. We will work together on budgeting to make sure that we accelerate that Programme.

During my term – because I was also the Cabinet Secretary for Energy in 2013/2014 and a bit of 2015 – there would be no reason why we would have a single primary school – unless it was a new one – or a secondary school, dispensary and public institutions, which were not connected to power. Like I said, I will provide a list of all public institutions to every MP, with my signature appended on it. The work is very advanced. I should be able to do that within the next seven days. We will audit and confirm where there is no connectivity, particularly within public institutions, and then come up with comprehensive budgets to make sure that we connect those institutions which are highly concentrated. Markets are places of high population concentration, where people come to engage in business. There should be no reason why schools with 500, 600, or 700 children have no power. Once we do this audit, we should be able to come up with a comprehensive budget and ensure that within the next two years, we have connected all our public institutions to electricity.

The rest will be maximisation and provision of transformers to dark areas which are 600 metres outside the connectivity range. I will be giving you a schedule of all public institutions in each constituency, and the connectivity status as received from REREC. I will include a column for you to confirm whether there is power or not. Where we agree, we will work together to make sure that we provide an adequate budget to fully connect all our public institutions to electricity in the next two years. The rest will be maximisation and acceleration to ensure that we provide power to where our people live. I do not know whether that answers the Member's question.

There is also the question by Hon. Eric Muchangi Karemba, and the one by Hon. Mulyungi Gideon from Mwingi on the Last Mile Connectivity Programme. Hon. Ruku from Mbeere North asked about devolved legislation. We will work together to make sure that we accelerate this connectivity. Like I said, moving from 2.3 million connections 10 years ago, to 8.5 million plus connections today under the Last Mile Connectivity Programme puts Kenya above Africa's average, at almost 8 per cent connectivity on average, according to the Kenya National Bureau of Statistics (KNBS). We should work together within the next two years and make sure that we accelerate connectivity to public institutions and, more particularly, maximisation programmes through budget provisions.

We all know that the REREC is 100 per cent funded by the Government. We do not charge customers to get power from the grid, except charging them through the monthly payments. We should accelerate connections together through budget provision. Once I send you the schedule of your public institution in your constituency, please help us to audit and confirm to us whether there is power or no power, even if we have said that we have connected. Unscrupulous contractors could have signed that they connected power, but there was no connection.

We have a crisis on stolen transformers and prepaid meters. Sometimes, two transformers are stolen every week. We are currently working with the Ministry of Interior and National Administration.

Hon. Yakub Adow (Bura, UPIA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): I hope you are on a point of order. What is out of order? Is that Hon. Yakub?

Hon. Yakub Adow (Bura, UPIA): Yes.

The Temporary Speaker (Hon. Peter Kaluma): Move to the next microphone.

Hon. Yakub Adow (Bura, UPIA): Hon Temporary Speaker, is the Cabinet Secretary in order to respond to the last questions? There are MPs, including myself, who were among the first ones to ask questions.

The Temporary Speaker (Hon. Peter Kaluma): You are out of order, Hon. Yakub Adow. I want you to look at your Standing Orders. There is no specific order in which a Cabinet Secretary should respond to questions raised on behalf of the people. I hope that is the reason we are asking them. Permit the Cabinet Secretary to respond to these questions in a way that best satisfies the Members and the public, on whose behalf we are posing them.

Hon. Farah Maalim (Dadaab, WDM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): What is out of order, Hon. Farah?

Hon. Farah Maalim (Dadaab, WDM): I am seeking the indulgence of the House. You said that you would give the Cabinet Secretary five minutes. We have a lot of time up to 9.00 p.m. this evening to transact this business. Can you allow him to answer questions comprehensively, because I am sure he is prepared for that? Five minutes is too short for him to respond to all those questions. I am seeking your indulgence, Hon. Temporary Speaker.

(Applause)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Farah, is it your view that the Cabinet Secretary is rushing?

Hon. Farah Maalim (Dadaab, WDM): No. I am just responding to the fact that you gave him five minutes. I do not want him to rush.

The Temporary Speaker (Hon. Peter Kaluma): The Cabinet Secretary had indicated that he would use five minutes. Colloquially, it means the shortest time possible to answer in the most satisfactory manner to the Members. I want to remind you, Members, that this is not the only business we have to transact today. There is very critical business in Order No.8. If we do not transact it to conclusion today, you know what the law says.

Cabinet Secretary proceed. I request Members not to interrupt any further. Allow him to conclude. Be as concise as possible as you respond to the questions. Proceed.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Thank you, Hon. Temporary Speaker. Hon. Mulyungi Gideon asked a question on the Last Mile Connectivity Programme. We will work together to ensure that all these public institutions—dispensaries, secondary schools, and primary schools - through the schedule that I promised to send to every Member of Parliament through the Clerk of the House, get adequate budget in the next two years to continue to accelerate our country to where we want it to be. I commend the fact that Members allocate a matching fund, to confirm that this is a critical or very important exercise in powering our economy.

Let me apologise with respect to the disconnection of power in Mombasa. I undertake to work with my colleague, the Cabinet Secretary for Health, together with Kenya Power before critical life-saving institutions like hospitals are disconnected. We will work together with the Ministry of Health and Kenya Power to make sure that we do not disconnect power and cause untold suffering to people who go to seek medical services in hospitals. It will not happen again. I will work very closely with my colleague at the Ministry of Health and Kenya Power to make sure we coordinate revenue collection from public institutions.

On the Question by Hon. Nyenze, the Member for Kitui West, on stolen prepaid meters, let me give a general answer that currently, we are working very closely with the Ministry of Interior and National Administration. We have a committee where my Principal Secretary, who is currently in the House, works with *Bwana* Amolo, Principal Secretary for Ministry of Interior and National Administration, to curtail the theft of transformers and meters. We had a challenge of meters between early last year and towards the end of the year when an award for purchase of prepaid meters was taken to court, and for a long time, we were not completing connections and desperate customers would go out of their way... We have since procured meters and we have many meters and connections are going on now, and we think that should reduce the theft of meters because it was exacerbated by the fact that meters were missing. When you have wired your house and Kenya Power has brought the power to where the meters would be, it becomes a state of desperation. Sometimes even power losses were being exacerbated through illegal connections because of that.

On the Question by the Member for Garissa Town, I do not know when Hon. Barrow was last home. We started out in Garissa in the last one or two weeks. We had some mismatch challenges on balancing transformers. We have separated the connections for rural customers and the town customers, and I can confirm that the challenge that we had in Garissa Town was sorted out in the last 10 days. I would like *Mheshimiwa* to confirm that when he travels home next. I am very certain that the challenge that we had in Garissa has been addressed.

On the Question by Hon. Kemei, the Member for Kericho County on lack of meters, I have answered that. We have adequate meters and we have also allowed REREC to buy meters. REREC will be connecting meters instead of waiting for Kenya Power to connect the meters. So, we should be able to accelerate our connections and even see lesser power losses, because there were a number of losses due to illegal connections occasioned by lack of meters.

Hon. Ronald from Kipkelion West asked about governance issues. We will continue to work on governance of Kenya Power so that we do not have unscrupulous employees who basically connect, disconnect, and sell the same meter to a number of customers. It is something we can address. If it is an employee connecting, unless it is also tied to the meter theft, we should be able to address that through governance programmes.

Mheshimiwa Jayne Kihara, Member for Naivasha, *karibu*. We can still have a cup of tea, but I want to confirm that KETRACO is also 100 per cent financed by Government. We currently have pending bills for wayleave acquisitions of up to Ksh19 billion. I was in the House for a while with the CEO for KETRACO, Dr Mativo, but the Principal Secretary is here. We will work to ensure that those customers that gave us wayleave between Ethiopia to Suswa to build that line are compensated as budget is made available. This line is important. During the last long drought, we have been picking up to 200 megawatts of power from Ethiopia. That is what kept our country from load-shedding, unlike what we saw in our neighbouring countries where load-shedding was up to 8 to 12 hours, not forgetting about the expensive power.

On the Question by the Member for Kesses, the design has been done. Again, like I have said earlier, we will work together to ensure that we provide a budget and run through those connections. If the designs have been done, we should be able to run through that very quickly.

On when we are opening a Kenya Power office in Mochongoi in Baringo, *Bwana* Principal Secretary, we will take that as an assignment and confirm if Mochongoi or Baringo South needs a Kenya Power Office. We will take that up if it makes economic sense.

The Member for Elgeyo Marakwet asked about the Last Mile Connectivity Programme. I have talked about that. So, I will go to the question asked by the Member for Endebess, Hon. (Dr.) Pukose on when we are retiring the Muhoroni Power Plant. On this one, I also want to talk to Hon. Victor Koech for Chepalungu Constituency. We have funding. Olkaria Geothermal Plant has been a great resource for this country. Today, we power in our country, with up 45

per cent of energy coming from geothermal sources, which is green and environmentally friendly. But more importantly, Olkaria is one of the biggest sites in the world, where there is a unit of up to about 700 megawatts of geothermal power coming out of the same location. That power does not reach various ends of the county. Those of us who come from Western parts of Kenya, like Hon. Nabwera, do not get enough voltage. For people like us from Bomet, Kericho, Kisii Migori and all the way to Awendo, the voltage is not enough to power industries, leave alone our homes in the evening.

We have got funding from the Government of Korea to the tune of Ksh15 billion together with local funding to connect Bomet-Narok, the link which has not been done. That way, we will be able to evacuate more power. We have enough power in Olkaria, but it does not reach Western Kenya because of that short un-connected link. Once the link is done and the link from Chemosit to Kapkwen in Bomet has been done, we should be able to evacuate power all the way to Bomet, Kericho, Kisii, Migori and Awendo towns. That project should be starting in a short while. We should be able to retire Muhoroni Power Plant, which is one of the most expensive diesel power plants in the country, but which is necessary for managing those voltages. I could almost say with certainty that Muhoroni Power Plant, which is run by KenGen, should be retired in the next two years maximum. That is as soon as we finish the connection to the western part of the country so that we can take more of the geothermal power there.

Hon. Ferdinand Wanyonyi of Kwanza asked who pays for the floodlights. The county government pays for them. We will endeavour to ensure that we provide more of those floodlights in market centres to ensure that we have a working economy. Most of our vegetable vendors sell in the evening because we need to buy fresh vegetables and we can only do that if the markets are lit. We will continue to provide floodlights and the country Government will pay.

The Member for Chesumei Constituency asked about funding reprieve for Persons with Disabilities (PwDs). We have taken that up to make sure that in the Kenya Power data base, if not already captured, we capture the disability status of customers and be able to give them the reprieve accordingly.

I had answered the question by Hon. Ali Raso before he came in. During the vetting, he asked me what we are doing for Marsabit. We have funding, and I confirm that there is a project which will pick power from River Loyangalani to Marsabit, and from Marsabit to Isiolo. We can go up to Garbatulla in Garissa, and possibly go North. But for now, the funding is available to Marsabit and down to Isiolo. We should be able to provide power to the people of Marsabit, who give us 310 megawatts of wind power.

Hon. Maryanne Kitany of Aldai asked about optimisation. We will continue to work together on that maximisation, as I indicated earlier. I will send a schedule to all the Hon. Members of this House. I am here with the CEO of REREC, Mr. Peter Mbugua. I am sure that he has heard the interest with which the Hon. Members of this House have to ensure that our country is connected.

The question by the Member for Samburu North, Hon. Lesuuda, was that they are not on the grid. In areas like Baragoi, we are going to work more on hybridisation. What we will do to basically support the more difficult areas where the grid cannot get immediately would be to work on a diesel generator together with a solar plant or a wind firm through the KOSAP mini grid. We should be able to do more for Samburu to ensure that they are on the grid.

You may be aware that the Energy Act, 2019 opened up the market, and we should be able to see other firms building grids similar to Kenya Power. Some of those mini-grids will grow to build inter-connection capacity with some of the companies that we license to own the mini-grids while we manage the tariffs, so that even if one is on a mini-grid, one still pays the same tariff as the customers who are on the grid.

On the question by Hon. Yusuf Hassan, Member for Kamukunji, we have talked about electricity supply and the challenge of the theft of transformers. The more important thing we are doing with the Power Grid of India is working to deliver power at 11KVA to the homes and drop on a small transformer. We have some interesting technology which we are trying to learn from the Power Grid of India to ensure that power losses are managed by ensuring that we provide power on higher voltages as opposed to power which can be easily tapped.

More importantly, the principle here should be to see whether we can work with re-sellers. In places like Kamukunji and informal settlements like Kibera, we should be able to have a re-seller of power who buys in bulk and distributes in the way they understand and the way they live with their community. We will have a meter at the transformer, and he will collect revenue in the informal settlements. We should be able to train them and work together with countries that have done this. We learnt this from the Power Grid of India, that has done very well. This will ensure that we do not get into a situation where there is no power in the slums because when there is no light, the insecurity and the challenges that come with it become a challenge to the entire Government. So, Hon. Yusuf, we are working on that, but it is not limited to Kamukunji. We want to do a pilot project and see how we can ensure that there can be re-sellers of power. For example, Safaricom does not basically sell its service, but it employs re-sellers it sells bulk service, and the re-sellers go to the end customers.

I have worked very closely with Hon. Farah Maalim, the Member for Daadab, to ensure that Wajir has power because they were out of power for quite a while. What are we doing to spread the infrastructure to the North? Let me cite the example that I gave to Hon. Raso, of Loyangalani, Marsabit coming down to Isiolo and going back to Garbatulla and Garissa. We will work on infrastructure development to ensure that power is moved out there to the north. We have done very well in some of the more highly populated areas. We will be paying more attention to see how we can move power. Let me give a very good example that can work.

In Lungalunga, Vanga and Namanga, we sell power to Tanzania. They do not have the grid on the Namanga Tanzanian side, but they pick power from Kenya. In Taveta, they do not have power on the Tanzania side. We do cross-border sales of energy. In a place like Mandera, there is a power station about eight kilometres into Ethiopia in a place called Ganale Dawa. We are working with them to bring the grid to Mandera Town and be able to reticulate power on the grid and bill like we do in Namanga, Taveta, Lungalunga or Vanga, where currently there is improvement, and each country has its own grid. So, we will work on moving the grid, because that would be the reliable power once we achieve it.

On Samburu West, I am told there is a sub-station in Rumuruti which is almost complete. We will pay attention to completion of the sub-station quickly so that, instead of picking power 300 Kilometres away, we should be able to pick from the Rumuruti Sub-Station. *Bwana* Principal Secretary, let us see how we can quickly address this issue, considering that electricity losses are substantial over such a distance. By putting up a sub-station, current power losses of about 22% should come down significantly.

Mheshimiwa Baya from Kilifi North asked about power and water. We just need to do some education. In the recent tariff review where we provided tariff for the period 2023/26, we provided under every tariff plan – is it CL1,2,3,4 and 5? – a Time of Use Tariff which is 50 per cent cheaper than the Standard Tariff. That starts from 10.00 O'clock at night to 5.00 O'clock in the morning. You do not need to pump water during the peak hours. Performance of the power usage is very high between 6.00 O'clock and 10.00 O'clock, and it almost forces us to have more power generated to be able to support the peak. Thereafter, the usage of power really goes down at 11.00 O'clock, 12.00 midnight, 1.00 O'clock and 2.00 O'clock; the tariff is 50 per cent. Therefore, for those of us who do not need to pump water during the day, we can fill the tanks at night at half the price. We just need to do some education working with the power sector to ensure that they take advantage of Time Use Tariff. They should be able to have their

tariffs rather than pump water when there is no enough power for all of us, because we do not pump water to the tap. We pump it to the tanks. Therefore, we should do some education and information dissemination to ensure that we flatten the peak, which is very high between 6.00 O'clock and 10.00 O'clock at night, and shift some of that load between midnight all the way to 5.00 O'clock in the morning and enjoy 50 per cent of that Tariff Plan.

The fuel subsidy which stood at about Ksh50 billion is now about Ksh42 billion because last week we made some payments, and I agree that these stifles some of our small petroleum dealers. We provided, and this House passed the Supplementary Estimates I of about Ksh40 billion. Yes, we have a budgetary allocation that should be able to clear the outstanding bill to some of those petroleum dealers. We appreciate their support by withholding that kind of amount, but that budget was provided and approved in Supplementary Estimates I, and subject to cashflows within Government, we should be able to clear that outstanding debt.

Hon. Abdul Haro, Member for Mandera South, I think we have talked quite a bit about Mandera and the fact that we can even get power from across the border, reticulate and put Mandera on the grid. It does not have to be a Kenyan grid; we are doing it in Namanga and the other border towns.

Hon. Jessica Mbalu, you brought a supplementary question which was basically looking at how to work towards achieving the same goal that we talked about. As I said, once we work together on the schedule that I am going to provide to every Member of Parliament and work on pushing a budget that can complete the assignment, we should be able to complete the assignments in this county in a very short while.

Hon. Lekuton Joseph, for Mt. Kulal, I have talked about hybrid systems. We can work together. If solar does not quite work, we can do wind which is good in Marsabit and hybridise it with diesel generator, because wind is good at night. When it rains, there is no wind, but if we hybridise with diesel generators, we should be able to sort out that problem. In these two years, we will work with Members of Parliament to ensure that we provide a budget and work with REREC. Mr. Peter Mbugua is here and has listened to the concerns of the Members of Parliament. We will pay attention and work together on your priorities to make sure that we power this country together.

Hon. David Gikaria (Nakuru Town East, UDA): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. David Gikaria, what is out of order?

Hon. David Gikaria (Nakuru Town East, UDA): Thank you, Hon. Temporary Speaker. I do not know whether I am privileged or under-privileged to be sitting here. At around 10.43 a.m. in the morning today, I got an alert from the Clerk of the National Assembly indicating that I was listed as number two to ask a question on a matter of 30 permanent employees of the GDC, whose services were terminated, particularly drivers and other staff. I did not get an opportunity to ask that question. Will you allow me to ask my question? I have been waiting here. I have a communication from the Clerk which shows that I was supposed to be the second person to ask a question, but I did not get it in the Order Paper. It is on a critical matter.

The Temporary Speaker (Hon. Peter Kaluma): Just a minute, Hon. Gikaria. Cabinet Secretary, are you aware of this matter?

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): The Question by Hon. Lemanken Aramat, the Member for Narok East on the 30 employees? I am aware of that matter.

The Temporary Speaker (Hon. Peter Kaluma): Hon. David Gikaria.

Hon. David Gikaria (Nakuru Town East, UDA): Hon. Temporary Speaker, the Question was regarding the termination of services of 30 employees by GDC in April 2022.

They were on permanent and pensionable terms, but they just got their termination letters without any due process.

The Temporary Speaker (Hon. Peter Kaluma): Cabinet Secretary, do you have that response, or could we direct Hon. Gikaria to pursue it with your office separately?

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): To a very good extent, I think there was a challenge with some employees.

The Temporary Speaker (Hon. Peter Kaluma): Cabinet Secretary, if you have a response to that question, please proceed to issue it as you conclude.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): I will do that. Hon. Rindikiri, did I miss the question on the transformers? What was the question from the Member from Buuri?

Hon. Farah Maalim (Dadaab, WDM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Farah Maalim, what is the point of order? I want to request that we allow the Cabinet Secretary to conclude.

Hon. Farah Maalim (Dadaab, WDM): I will allow him to conclude, but we have a tradition in this House in the way we transact business. The questions are listed on the Order Paper. If a Question is not listed on the Order Paper, then the Member has to seek that the Question is listed. You cannot ask a question which is not listed on the Order Paper and get the Cabinet Secretary to answer it.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Gikaria confirmed that he received a notification from the Clerk that his Question will be on the Order Paper. I think that is the context in which the Cabinet Secretary confirms he came ready with the response.

(Hon. David Gikaria spoke off the record)

Order, Hon. Gikaria. You do not run the House when I am on the seat or when I am the Speaker for that matter.

Cabinet Secretary, please proceed.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Let me beg not to answer the question by Hon. David Gikaria from Nakuru Town East today. This is because we are dealing with 30 employees, and we must accurately speak to that concern and confirm whether they were properly terminated. Let me do some more work and respond accordingly so that they do not watch and listen to us prosecuting without accurate information.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Gikaria, is that satisfactory? The Cabinet Secretary indicates that he will substantively respond. I am grateful you are raising the issue, but you could also pursue it on behalf of the 30 Kenyans even before the Cabinet Secretary is called back to the House. Please, let us have it rest at that.

Cabinet Secretary, conclude.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Thank you. There was a question on what we are doing to stabilise power supply in Bura Town. We are building a 220KV line from Garsen-Hola-Bura-Garissa, which will address the Bura challenge. We had a facility from the Chinese Exim Bank, but it expired. If you go through that line, you will see poles which have not been strung. We will work very quickly to finish the project. Quite a bit of work has been done. Conductors have already been laid in some sections. We will work to re-establish the project and make sure funding is available. Once we build the 220 KV line, we should be able to stabilise power supply in Bura Town.

I do not know whether I answered the question by Hon. Rindikiri on transformer theft.

The Temporary Speaker (Peter Kaluma): Cabinet Secretary, I can confirm you have responded to the question by Hon. Rindikiri Mugambi, and he is satisfied. Please proceed to the other questions.

(Hon. Mugambi Rindikiri spoke off the record)

Cabinet Secretary, proceed. If you have additional information for Hon. Rindikiri, please provide it. If not, this is not the end of it. The Office of the Cabinet Secretary is not locked from us, as the representatives of the people.

Hon. Mugambi Rindikiri (Buuri, UDA): I stand guided, Hon. Temporary Speaker.

The Temporary Speaker (Peter Kaluma): Thank you. Cabinet Secretary, conclude.

The Cabinet Secretary for Energy and Petroleum (Mr. Davis Chirchir): Let me conclude, Hon. Members, by acknowledging the fact that it is a great opportunity to appear before this honourable House to listen to the concerns. Sometimes, we can plan out there alone, thinking that we have the solutions, but the people on the ground who represent the citizenry are here. We will work together as a team to quickly finish the implementation of the Last Mile Connectivity Programme and ensure we take power provision to where the people live.

Today, Kenya is at 92 per cent of renewable energy due to geothermal, hydro, solar and wind generation. What pulls us down a bit is diesel generation, which we are retiring progressively. More importantly, as we provide power and as we work on the cost of energy, we should be able to go into clean cooking, clean energy to light homes and secure our lives health wise. I am cognisant of the concerns of this House. We are concerned as a Ministry to make sure we bring down the cost of power. If we are going to make our economy an industrial powerhouse and move from 7 per cent GDP manufacturing to 9 to 15 per cent, the cost of energy has to be competitive. Global firms will be seeking cost and location advantage. This is why we have the Standard Gauge Railway (SGR), the Port of Mombasa and the Special Economic Zone (SEZ). If we work together to bring down the cost of power - and we share your concern on the cost of power - we should be able to attract industry, global firms, and secure employment for the youth. We will be the country we ought to be in terms of positioning.

Hon. Speaker and Hon. Members, I thank you. I will follow up on the areas that we possibly did not adequately cover. I want to say again that the Last Mile Connectivity Programme is a very important project. Most of the Members have visited my office and I know how important that programme is. We will continue to work together.

Thank you, Hon. Members. Thank you, Hon Temporary Speaker. *Ahsanteni.*

(Applause)

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Cabinet Secretary and your team. On behalf of the Office of the Speaker and the National Assembly, let me thank you specially for not only availing yourself to respond to questions raised by Members, but also for doing your best to satisfactorily cover the questions. Your Ministry is critical in firing our economy upwards. On behalf of the House, I want to remind you to remember the undertakings you have given, especially the one related to ensuring that all our institutions of learning are electrified so that there is fairness between our students; and the ones which will enable areas that have not been covered by electricity to be also covered.

Cabinet Secretary, if you have noted, there has been a lot of interest within the limited time. So, while I regret that we had heavy business with your counterpart who preceded you, yours is a Ministry that should be housed somewhere in Parliament. I will request that each time you get an invitation of this House of representatives to come, you should avail yourself. I thank you in a very special way, and direct that you be released from the House to go and undertake your other Government business at your pleasure.

Next Order.

SPECIAL MOTION

APPROVAL OF A NOMINEE FOR APPOINTMENT AS A MEMBER OF SRC

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Temporary Speaker. Pursuant to the provisions of Articles 230(2)(b)(i) and 250(2)(c) of the Constitution, Section 7(10) of the Salaries and Remuneration Commission Act, No.10 of 2011, and Section 6 of the Public Appointments (Parliamentary Approval) Act, No.33 of 2011, His Excellency the President notified the National Assembly of the nomination of Mr. Isaac Kipkemboi Melly...

The Temporary Speaker (Hon. Peter Kaluma): Order! Committee Chair, move the Motion. Start by "I beg to Move" and reading the entire terms of the Motion before you make your contribution.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Temporary Speaker for the guidance.

I beg to move:

THAT, taking into consideration the findings of the Departmental Committee on Labour in its Report on the vetting of a nominee for the appointment as a member of the Salaries and Remuneration Commission, laid on the Table of the House on Wednesday, 3rd May 2023, and pursuant to the provisions of Article 250(2)(b) of the Constitution, section 7 (11) of the Salaries and Remuneration Commission Act, 2011 and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of Mr. Isaac Kipkemboi Melly as a Member of the Salaries and Remuneration Commission (SRC).

[The Temporary Speaker (Hon. Peter Kaluma) left the Chair]

[The Temporary Speaker (Hon. Farah Maalim) took the Chair]

The Departmental Committee on Labour met Mr. Isaac Kipkemboi Melly on Friday, 28th April 2023, and conducted approval hearings. I confirm to the House that Mr. Isaac Kipkemboi Melly is a very qualified gentleman. In terms of academics, he is well educated and that he meets the requirements of this position. Mr. Isaac Kipkemboi Melly holds a Master's Degree in Public Administration and Strategic Management from Kisii University dated 2015. He holds a Bachelor's Degree in Business Management from Mt. Kenya University. He is also a holder of a Diploma in Business Management from the Kenya Institute of Management.

Mr. Melly is a former Member of Parliament who served in the Senate between 2013 and 2017. He has a lot of experience, having been a Member of Parliament. He has been a Staff Welfare Manager at CPF Financial Services from 2020 to 2022. Mr. Melly served as a Corporate Communication Manager at CPF Financial Services from 2019 to 2022. He has also been an Associate Consultant at the Eagle Human Resource Consultants from 2017 to 2019. This means that he has the requisite experience and can serve in the position of a Commissioner of SRC properly.

I need to bring to the attention of this House that the gentleman has already been interviewed by the Parliamentary Service Commission. He is going to the SRC as a nominee forwarded to SRC by the Parliamentary Service Commission. I believe that they too did due diligence. In approving him, it means that he is well qualified to do the assignment ahead of him.

The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity, having obtained the clearance from the Ethics and Anti-Corruption Commission

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(EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), the Office of the Registrar of Political Parties, and the Higher Education Loans Board (HELB). All those institutions cleared him and he has not been charged in court in the last three years. He is not a holder of any office in any political body. He has never been dismissed from office under Article 75 of the Constitution of Kenya.

Hon. Temporary Speaker, the nominee demonstrated knowledge on topical, administrative and technical issues touching on the SRC and the Parliamentary Service Commission. He has the requisite abilities, qualifications, and experience to serve as a member of the SRC.

Our Committee recommends him, having conducted approval hearings for the nominee pursuant to Article 230(2)(b)(i) of the Constitution, Sections 8(2) of the Public Appointments (Parliamentary Approval) Act (No.33) of 2011, and Standing Order 216(5)(f). Having considered the suitability, capacity and integrity of the nominee, the Committee recommends that the National Assembly approves the appointment of Mr. Isaac Kipkemboi Melly to the position of Member of the SRC representing the Parliamentary Service Commission.

The Committee registers its appreciation to the Office of the Speaker, Office of the Clerk, Office of the Director Departmental Committees, and the Committee's secretariat for the logistical support extended during the vetting process.

As I conclude, I acknowledge and appreciate Members of the Committee for their patience, sacrifice and commitment. That enabled the Committee to complete the task within the required timelines.

Hon. Temporary Speaker, I now request Hon. Kihungi to second.

I thank you.

The Temporary Speaker (Hon. Farah Maalim): You may proceed, Hon. Kihungi.

Hon. Peter Kihungi (Kangema, UDA): Okay. Thank you, Hon Temporary Speaker. I stand to second the appointment of Isaac Kipkemboi Melly as a Commissioner of the SRC.

The Temporary Speaker (Hon. Farah Maalim): Order Hon Members.

(Question proposed)

Order Hon Members. We will now have the Member of Parliament for Soy.

Hon. David Kiplagat (Soy, UDA): Thank you, Hon. Temporary Speaker. I support the Motion to approve one former Senator Isaac Melly as a Commissioner in SRC. I would like to tell this House that he comes from Soy Constituency, and as the people of Soy, we are thankful and grateful to this House, the PSC, and the President for having proposed former Senator Melly as a Commissioner in SRC to represent Parliament. I would like to tell and urge this House to support the Motion, because his representation will be unmatched. I am aware that we have a lot of challenges between Parliament and SRC, which have been outstanding for a long time, but I can assure you that we now have a gentleman who will represent Parliament, which will be heard at the SRC table. Without taking much time because I know most Members are tired, I would like to support and call upon all Members to support the candidature of Hon. Isaac Melly as the SRC commissioner.

I thank you.

The Temporary Speaker (Hon. Farah Maalim): Next is the Member of Parliament for Kesses, Hon. Julius Rutto.

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Temporary Speaker for according me this opportunity to support the Motion on the approval of the former Hon. Senator Isaac Melly as the Commissioner of SRC. Indeed, it is good to appreciate the fact that this Honourable House found the merit of the nominee who has been proposed to join SRC. We all understand that out of the nominee's experience and service to this Honourable House, we hold

a lot hope in him, that he is going to prosecute issues on our behalf and in the interest of the Hon. Members, this House and Parliament. I, therefore, support this Motion.

I thank you.

Hon. David Pkosing (Pokot South, KUP): On a point of order.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Pkosing?

Hon. David Pkosing (Pokot South, KUP): Hon. Temporary Speaker, all of us support the appointment of Hon. Melly.

The Temporary Speaker (Hon. Farah Maalim): Are you sure about the Quorum?

Hon. David Pkosing (Pokot South, KUP): We have the Quorum.

The Temporary Speaker (Hon. Farah Maalim): Order! You do not have the Quorum.

Hon. David Pkosing (Pokot South, KUP): We have the Quorum, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Shakeel Shabbir.

Hon. Kassait Kamket (Tiaty, KANU): On a point of order.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order Hon. Kamket?

Hon. Kassait Kamket (Tiaty, KANU): Hon. Temporary Speaker, you have made a very dangerous pronouncement from the Chair that there is no Quorum. Therefore, we have no business being here.

The Temporary Speaker (Hon. Farah Maalim): Order! That cannot be initiated by the Chair, but the Chair has the responsibility to look and see if there is sufficient quorum. The rules are very clear that you cannot pass a piece of legislation without...

(Loud consultations)

Order! Ring the Quorum Bell.

(The Quorum Bell was rung)

The rules are very clear. The Chair does not use a Member of Parliament to count the number of Members in the Chamber to see if they meet the quorum. That is the responsibility of the Clerk. You do not have quorum. Ring the Quorum Bell. The rules are very clear. You cannot pass a piece of legislation without quorum.

(Loud consultations)

Hon. Members, the rules have since changed. When I was in Parliament last time, the Speaker would see and hear nothing, but you changed the rules and made sure that no piece of legislation can be passed without quorum. The Speaker has the responsibility of calling the Clerks and asking them whether we have quorum, even if you do not raise it.

Order, Hon. Baya.

(Loud consultations)

Do we have quorum?

Deputy Leader of the Majority Party, you have a responsibility to whip your Members to bring them in here instead of turning this place into a circus. When the Bell is being rung, no Member should go out. The rules are very clear. Can you count the number of Members to check if we have quorum?

(Loud consultations)

I think we now have quorum. Okay, proceed with the business of the House.

What is your point of order, Hon. Pukose?

Hon. (Dr.) Robert Pukose (Endebess, UDA): Hon. Temporary Speaker, I ask under Standing Order 95 that the Mover be called upon to reply.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Order!

(Question, that the Mover be now called upon to reply, put and agreed to)

Hon. Muchangi Karemba (Runyenjes, UDA): Hon. Temporary Speaker, I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): Order!

(Question put and agreed to)

The Temporary Speaker (Hon. Farah Maalim): Next Order.

MOTION

ADOPTION OF REPORT ON FINANCIAL STATEMENTS OF NG-CDF ACCOUNTS FOR CONSTITUENCIES IN THE COAST

THAT, this House adopts the Report of the Decentralized Funds Accounts Committee on the consideration of the Reports of the Auditor-General on the Financial Statements for the National Government Constituencies Development Fund for Twenty-Six Constituencies in the Counties of Mombasa, Kilifi, Kwale, Taita Taveta, Lamu and Tana River for financial years 2013/2014, 2014/2015, and 2015/2016, laid on the Table of the House on Tuesday, 25th April 2023

(Moved by Hon. Gideon Mulyungi on 2.5.2023)

(Resumption of Debate interrupted on 2.5.2023)

(Loud consultations)

The Temporary Speaker (Hon. Farah Maalim): Order, Hon. Members. Hon. Waqo was on the Floor. Hon. Naomi Waqo you have five more minutes. You may proceed.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker.

Hon. Charles Kamuren (Baringo South, UDA): On a point of order.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Kamuren?

Hon. Charles Kamuren (Baringo South, UDA): Thank you, Hon. Temporary Speaker. It is clear that we do not have quorum.

The Temporary Speaker (Hon. Farah Maalim): Serjeant-at-Arms, ring the Quorum Bell.

(Several Members walked out of the Chamber)

Order, Hon. Members! You cannot leave when the bell is ringing.

(The Quorum Bell was rung)

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): You can switch off the Quorum Bell now because 10 minutes are over.

Hon. Members, there being no quorum, under Standing Order No.35, the House has no option but to adjourn. The time being 7:50 p.m., this House stands adjourned until tomorrow, Thursday, 4th May 2023 at 2:30 p.m.

The House rose at 7:50 p.m.

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